

85TH GENERAL ASSEMBLY

REGULAR SESSION

November 6, 1987

PRESIDENT:

The hour of nine-thirty having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this morning by the Reverend Daniel Powell, Grace Lutheran Church, Springfield, Illinois. Reverend.

REVEREND DANIEL POWELL:

(Prayer given by Reverend Powell)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Thursday, October the 22nd; Wednesday, November the 4th and Thursday, November the 5th, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Resolutions.

SECRETARY:

Senate Resolution 682 offered by Senators Hall, President Rock and all members, it is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 683 offered by Senator del Valle, it is substantive.

PRESIDENT:

Executive...(machine cutoff)...of bills.

SECRETARY:

Senate Bill 1558 offered by Senator del Valle.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a joint resolution Constitutional Amendment, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution Constitutional Amendment

No. 1.

PRESIDENT:

Executive. Senator Keats, you want to be our lead off hitter? With leave of the Body, we'll move to the Order of Secretary's Desk Resolutions, top of page 6...page 6 on the Calendar. On the Order of Secretary's Desk Resolutions is Senate Resolution 629, Madam Secretary.

SECRETARY:

Senate Resolution 629 offered by Senators Keats and Philip.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

(Machine cutoff)...President, what Senate Resolution 629 does, it directs the Department of Central Management Services to appraise...a property in Chicago commonly known Chicago Avenue Armory. The last appraisal was about ten years ago and we're told it's probably up three hundred percent but no one has the faintest idea, so we have asked the Department of Central Management Services to do an appraisal and report back to us.

PRESIDENT:

Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. As you know, Senator Keats, the armory is in my district and there have been recurring battles with the Governor in the past, although I think all of us including the community group that represents that area are in substantial agreement now. I certainly have no objection to the concept of having an appraisal of the property. Because the uses that are contemplated are fundamentally public uses, I would hope that the...there is no thought that somehow the property is going to have to be sold for its appraised value and I would like to make that point now, so long as it is essentially a public access, public purpose use and as you know I am totally committed to that. If the Governor were still trying to sell it for private development, that would be a different matter, but we have finally persuaded him that it is never going to be sold for private development.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, I'm in support of the resolution. As a former member of the Illinois National Guard Commission along with Roger Keats...Senator Keats, this was a very important issue that we did not want this armory to be given away or to be given away for a dollar. I think this is a fine resolution and we should support it.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDENT:

He indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

How much is this...how much is this appraisal going to cost?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

This is a normal function of Central Management Service, they have people who are normally...who do this and are on the payroll. I will tell you, here is...they are alleging to us that it will cost them money, you and I know that Central Management Services tells you everything costs money and forgets that they employ hundreds and hundreds of people. So the honest answer is, who knows?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Keats, I don't know, you know,...I'm sure this is not going to be a landfill project but if you're...if you're concerned about the property being sold or given away, we do have provisions that require appraisals before anything is done. So why are we doing this? Is there a buyer out there or something that we have to get an appraisal for it? Well, then, why...why are we getting the appraisal?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Now if...I think Senator Netsch is the one who's dying to answer your question. No, we're not trying to sell the property, there's nobody here who is excited about selling this particular piece of property to a developer, but as you are aware if you read any publications in the Chicago area, the Governor is thinking of essentially giving it away and he has certainly made no attempt whatsoever to appraise it. The most recent appraisal, I think, Senator Netsch's memory will be better than mine, but was 1979 the last appraisal? So, I mean, all we're saying is we would like to have some idea of what this thing is worth. I don't think it's unreasonable that the Legislature who technically holds the deed to this

technically, ought to have some idea of what the thing is worth.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Keats, there is no buyer, there's no plan to do anything with it but you want an appraisal, okay? Now...

PRESIDENT:

Senator Keats.

SENATOR KEATS:

I...Aldo...you're missing something, maybe Dawn should explain it because this is an ongoing thing that's gone on for a couple of years. There are a ton of plans; I mean, the Governor has already, according to people, committed that he's giving this thing away, he's already committed to it. We're not arguing against it, we just want to know what it is.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Senator Keats, I don't really think it's accurate to say that...that the property is going to be given away under any plan. It is certainly my personal expectation and I hope that of the administration that ownership of the property will be kept in the state. I would be very upset if ownership of the property were being given away. There is a plan...and I'm trying not to usurp the Governor's function, there is a plan for variety of...of uses by...by public institutional things with cultural bias, if I may put it that way, but that would be under what amounted to lease arrangements not...not sale. I would fight as hard as anyone else if the property were being literally sold because then we lose control of it and we should not. But I...it doesn't

bother me to have an appraisal.

PRESIDENT:

Any more noncontroversial resolutions floating around? Further discussion? Further discussion? Senator Keats may close.

SENATOR KEATS:

I thank you, Mr. President. I don't know who's feeding birdseed to our assistant leader over here but we would like to have some idea what this thing is worth, and it is certainly not unreasonable for the Legislature to have some idea what this property is worth. That's the request and whether it's Senator Vadalabene or...or the sponsor, Senator Philip or myself, we just think it's a...probably the way we ought to do business and I would ask for your affirmative roll call.

PRESIDENT:

The question is the adoption of Senate Resolution 629. An expenditure of funds will probably be necessary therefore a roll call is necessary. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 1 Nay, 3 voting Present. Senate Resolution 629 having received the required constitutional majority vote is declared accepted...(machine cutoff)...Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Mr. President, I have an announcement, if...if I might. I'd like to have everyone's attention. I had intended to do this earlier this morning when there were not very many members on the Floor but it got away from me. I have been asked to announce that my seatmate, Senator Frank Savickas, will be absent today as President Ronald Reagan has requested his presence at a White House briefing regarding the nomination

of Judge Douglas Ginsburg to the Supreme Court. I make that...this is a serious announcement, I might add, that he is, in fact, absent today because he's at the White House with...with the President and I'm sure that all...everybody on that side of the aisle must be very envious of Frank Savickas being in the White House this morning.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I suspect everybody on that side of the aisle ought to wonder what he's really doing there.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have cleared Senate Resolution 594 with my minority spokesman and with you, and I would like to have...suspend the appropriate rules and have immediate...considerations of my Senate Resolution 594 which relates to having the air...airlines be more careful in the way the baggage is given to people because there has been so many losses.

PRESIDENT:

Senator Vadalabene, for what purpose do you arise...(machine cutoff)...Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I'm...I'm honored today that we have here at my left a former Senator of this House, he served in 1934 till 1951, the former colleague of ours, Senator John Fribley.

PRESIDENT:

Senator, welcome back. Nice to see you, sir. Senator Geo-Karis, can we hold on that? Will you make...have copies made of that thing, nobody has a clue as to what you're talking about except me.

HB 213
override

SENATOR GEO-KARIS:

Okay, I'll have copies...you want me to hold it, okay.

PRESIDENT:

My suggestion is you just have one of the Pages make copies and pass them out. Ladies and gentlemen, we're going to start on the Calendar on page 12. I have had about...almost a majority of you ask how long we're going to be here today. My attitude is as little as possible and so the only way to begin is to begin. We will go through the motions in writing, that is our constitutional duty and then we will begin on the Conference Committee reports. And then those that were...the second reports will be shown on a supplemental Calendar along with the supplemental and along with unemployment insurance, we hope, and we will move as rapidly as possible with the idea of getting out of here early this afternoon. So I would ask that the members be attentive and let's see how we can move...(machine cut-off)...Bill 72, Senator Luft, pass. 213, Senator D'Arco. Madam Secretary, on the bottom of page 12 on the Order of Motions in Writing, there's a motion to override the total veto with respect to House Bill 213. Read the motion, please.

SECRETARY:

I move that House Bill 213 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Bill 213 allows municipalities the option...of enforcing parking tickets through administrative review process instead of the court proceedings that are presently in effect to enforce parking ticket violations. The Governor stated that there was no appropria-

tion for the Secretary of State to pay for the administrative cost through his office. The fact is that there is language in the bill that requires municipalities to reimburse the Secretary of State for any cost that might be incurred; in fact, I remember distinctly putting that language in the bill because it was a concern that the state would have to pay for some administrative cost that would be incurred. And we didn't want that to happen and we did want the municipalities to pay for that cost so we inserted that language in the bill. I don't think there really is any opposition anymore to this bill. I think both sides have agreed that it should proceed. It is supported by numerous organizations throughout the State of Illinois and I would ask to override the Governor's veto of House Bill 213.

PRESIDENT:

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I understand there are major political implications with who loves who and who doesn't love who in this bill, but I think most of us from the suburban area and the downstate area have had experiences time and time again with people who come into our offices and says, look at this letter I got from the City of Chicago, they claim I owe them ten parking tickets on this car. My car has never physically been in Chicago or been in Peoria or wherever...wherever these tickets come from. And now they're going to find out they don't have a driver's license. You know, in the old days they could send a...a letter in and say the car has never been there and they could fight the whole thing out. Now they're going to have their driver's...they're going to be driving along, they're going to get pulled over, sure, there is supposed to be notification but, you know, that doesn't work a good part of the time. The cop is going to say, you don't have a driver's license anymore and they're going to say,

what for? 'Cause you didn't pay your parking tickets in...in Crystal Lake or wherever it is and the guy is going to say I don't even know where Crystal Lake is, I've never even been there, but his driver's license is going to be gone and it's going to take him six months to get it back. And I just think we ought to be very careful about letting the computers do in our constituents.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President. I rise in support of the bill, and while Senator Schaffer's scenario is certainly frightening, it just doesn't happen to apply to this bill. It's not one ticket, you know, this is not a computer. This is an administrative system where you got people involved...they aren't taking away your driver's license over a ticket or two. I mean, you're not paying tons of tickets before you're in any trouble and I'm not saying it's never happened that someone allegedly got a parking ticket in Chicago when they'd never been there or got a parking ticket in Rockford where they'd never been there. But those cases are so blown out of proportion, the number of those tickets involved is so low and even if you got two or three of them that wouldn't even make an ounce of difference. This system doesn't work that way, it takes many more cases than that. I know many of our suburban officials would greatly appreciate your support for this. It dramatically simplifies the process. I would ask your affirmative vote.

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for a question? Will the sponsor yield for a question? Senator, my question concerns...concerns the cost aspects of...of this

legislation. Do we have a commitment by the City of Chicago to reimburse? I understand the language is in the bill but there are some substantial start-up costs and others and I just want to make certain that we have the agreement of the city to make these reimbursements?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

The city will pay the entire cost of the administrative procedure with the Secretary of State's Office, including whatever start-up costs have to be incurred. That's in the legislative record and the city is committed to doing that.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Senator. The reason I ask this is because the first year cost for startup are estimated by the Secretary of State through the fiscal note to be almost six hundred thousand dollars, then with an annual projected cost of about four hundred and seventy-nine thousand dollars. And, if...if there would not be reimbursement, I think it's clear that there be no money in the budget...the Secretary of State's budget that come next spring, the Secretary would be back here asking for a supplemental appropriation so that these costs can be met. Thank you.

PRESIDENT:

Further discussion? Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Well, Mr. President, you know, Senator Schaffer is concerned about downstaters who receive traffic violations erroneously in the City of Chicago; and let me tell you, we amended this bill specifically to deal with those concerns. And Amendment No. 2 states, "Each municipality must allow

nonresidents to challenge parking tickets without attending a hearing." That means that they have to set up an administrative procedure so that when someone calls in and says, hey, I got a parking ticket from the City of Chicago and I've never been in the City of Chicago, that municipality has to via the telephone, deal with that situation and solve that person's problem without that person attending a hearing in the City of Chicago. We are not out to get downstaters. I got my Democratic friends telling me we are...that's not our purpose. Our purpose is to gain some revenue from people who get parking tickets in the City of Chicago and aren't paying those fines. That's what this is all about and it's not only for the City of Chicago, it's for other municipalities, Champaign and Joliet and Cicero have signed on to this bill because they are concerned about the scofflaws in their cities as well. We've done everything possible in this bill to ensure that nobody gets erroneously screwed up because of some municipality, and...and it's a good bill and let's vote for it.

PRESIDENT:

The question is, shall House Bill 213 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, there are 50 Ayes, 4 Nays, none voting Present. House Bill 213 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Top of page 13, Senator Degnan. There's a motion in writing, Madam Secretary, with respect to House Bill 262. Read the motion, please.

SECRETARY:

I move that House Bill 262 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator

Degnan.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 262 amends the Unified Code of Corrections to allow a court within a reasonable period of time to rule on a motion to reduce the defendant's sentence if a motion has been filed within thirty days after the sentence is imposed. The Governor in his Veto Message says, "This bill contains essentially the same provisions as Senate Bill 38 sponsored by Senator...Fawell." The only difference between this bill and Senate Bill 38 is this bill obliges the proponent of such a motion to use due diligence. I think that's important, I hope thirty-five of you agree.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 262 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 1 Nay, none voting Present. House Bill 262 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Berman, 1848, no. 2470, Senator Kustra. Senator Kustra on the Floor? You want to go with that? Madam Secretary, top of page 13, there is a motion filed with respect to House Bill 2470. Read the motion, please.

SECRETARY:

I move that House Bill 2470 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Kustra.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. As of yesterday, I'm not so sure this override would have been necessary, because there was another bill, House Bill 2813, that did have within it the provisions of the original bill which is that the Department of Emergency Services disseminate flood control information to all of the effected cities. The reason the Governor's veto took place is that at the time they thought a similar mandate was in another piece of legislation. I have since learned that 2813 has now died over in the House and this is the only vehicle for placing into state law a requirement that the Department of Emergency Services share with cities the level of rivers and streams as they rise during floods. I know of no opposition to the idea. It was just a question of where it was going to be in the Statutes, and I would ask that we override House Bill...the veto on House Bill 2470.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2470 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 2470 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Brookins, House Bill 483. Middle of page 13, ladies and gentlemen. Middle of page 13, on the Order of Motions in Writing to Restore Item Reductions, there's a motion filed on 4-8-3. Senator Kelly on 783. Ladies and gentlemen, middle of page 13 on the Calendar. A motion filed with respect to House Bill 783, Senator...Madam Secretary.

SECRETARY:

I move that the items on page 1, line 19; page 1, line 20; page 1, line 21; page 1, line 22; page 1, line 23; page 1, line 24; page 1, line 30; page 2, line 22; page 2, line 23; page 2, line 24; page 2, line 25; page 2, line 26; page 2, line 27; page 2, line 30; page 2, line 33; page 3, line 1 and page 3, line 17 of House Bill 783 be restored, the item reduction of the Governor to the contrary notwithstanding. Filed by Senator Kelly.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and my fellow colleagues. This...this motion is a restoration of 10.7 million dollars for community mental health programs in Illinois. As you know, Illinois has been not a very good contributor to mental health and it's even been a more deplorable situation as it pertains to the community mental health programs. We are at dead last in the ratings and I think it's a very...a very bad position to be, and even if we get...this 10.7 million dollars, we're still going to be dead last and I...I know...I hope we can be successful in overriding the Governor's veto on the restoration of these funds. But I...I know you're a thoughtful Body whether it passes or not and I...I know in your heart that you know that Illinois isn't doing what it should do for mental health or for community mental health programs. And with that, I would just say the Mental Health Association of Illinois is in strong support of this override motion and I would ask for your favorable support...

PRESIDENT:

Discussion? Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you...thank you, Mr. President and members of the Senate. Once again it becomes necessary to stand and oppose

something that...that you really feel very strongly about, and once again the issue hasn't changed, the money simply...it simply is not there. It's increasingly difficult too to oppose community based facilities. We all believe strongly in...in the concept and...and the future of that and we...we simply can't ignore it nor forget about it, but just as we had to do with education yesterday, difficult as it was for all of us, there's no way that we...we can afford this and to promise this money today and to find next May that it simply was not there would be even worse. So I think the responsible position today would be simply to oppose this motion.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I'm going to vote No also, Senator Kelly. It seems to me that given what happened yesterday, that all of a sudden to reopen the override process really does not make any sense. Hopefully, we will have a supplemental bill. It will be at a level where the...not only all of us can agree but hopefully it can be signed by the Governor, and to start interjecting other issues into it right now, it seems to me just confuses the matter. The supplemental, hopefully, would have something for mental health, most particularly for day care and education but I just don't see that it makes any sense to...to do the override process given the...the results of yesterday's vote.

PRESIDENT:

Further discussion? Any further discussion? Senator Kelly, you wish to close.

SENATOR KELLY:

I just ask for a favorable vote.

PRESIDENT:

All right. The question is, shall the items on page 1,

lines 19 through 24; page 1, line 30; page 2, lines 22 through 27; page 2, line 30; page 2, line 33 and page 3, line 1 and page 3, line 17 of House Bill 783 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 20 Ayes, 19 Nays, 10 voting Present and the motion fails. 2403, Senator Degnan. Madam Secretary, ladies and gentlemen, on the Order of Motions in Writing to Accept Specific Recommendations for Change, there's a motion with respect to House Bill 2403. Read the motion, Madam Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2403 in manner and form as follows. Amendment to House Bill 2403 in acceptance of Governor's recommendations. Filed by Senator Degnan.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 2403 creates an Act concerning smoke detectors in certain facilities. The Governor's Message includes redefining the approved smoke detector and removes unfunded mandates for public schools. I move to accept those changes.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2403 in the manner and form just stated by Senator Degnan. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no

Nays, none voting Present. The specific recommendations of the Governor as to House Bill 2403 having received the required constitutional majority vote of Senators elected are declared accepted. Bottom of page 13, on the Order of Motions in Writing to Override Specific Recommendations. House Bill 236, Senator Philip. Read the motion, Madam Secretary, House Bill 236.

SECRETARY:

I move that House Bill 236 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Evidently, somebody in the Governor's Office was confused in writing the amendatory veto. What this simply does now is put the veterans' organizations back in Charitable Games Act, allows them to have Las Vegas Nights, et cetera.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 236...I beg your pardon. Senator Marovitz.

SENATOR MAROVITZ:

Senator Philip, I thought we did something along this lines yesterday. Senator Philip.

PRESIDENT:

Sponsor indicates he will not yield. The question is, shall House Bill 236 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, 1 voting Present. House Bill 236 having

HB 692
Spec. Recommendations
of the Law.

received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. 692, Senator Barkhausen. Madam Secretary, there's a motion in writing filed with respect to House Bill 692. Read the motion, please.

SECRETARY:

I move that House Bill 692 do pass, the specific recommendations of...of the Governor to the contrary notwithstanding. Filed by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this bill was also discussed yesterday and the motion was only filed again because I think some people maybe didn't quite realize all...all of what was in this bill and the importance of it to...to many people. As I explained yesterday and I'll quickly try to explain again today, the bill involves two separate features. One, the manner in which lawsuits can be brought against public entities and, secondly, the Statute of Limitations for surety companies and contractors within the state. There was virtually no discussion with regard to the second part of the bill yesterday which is vitally important to the construction industry in our state, because as we know it's very difficult to obtain insurance and construction companies doing public work are required to find a surety to...to guarantee the performance of their work, and when the Statute of Limitations is longer for sureties than it is for construction companies, it makes it more difficult and more expensive to obtain that insurance and that is the reason for that important aspect of the bill. The other provision about which there was quite a bit of discussion yesterday has to do with...with the forum for filing lawsuits against public entities, and the legislation simply...simply makes the rules of civil procedure for

such suits the same as apply to suits against private corporations. I'd be happy to answer any questions and otherwise would move for acceptance of the motion to override.

PRESIDENT:

Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would concur with Senator Barkhausen. I happen to be one of those who, with a devious heart, yesterday voted against this and want to make it known that I plan on voting Aye.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd just like to say that I support this bill. It was in part drawn up because of a situation in my district when the City of DeKalb got into a lawsuit with the university at DeKalb and the suit was transferred down to Springfield, so all of the lawyers and witnesses had to be driving down to Springfield just to hear the lawsuit. So the purpose of this is to allow the lawsuits in similar situations to be filed at the same courthouse in the same county.

PRESIDENT:

The question is, shall House Bill 692 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 2 Nays, 1 voting Present. House Bill 692 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Senator Joyce. Madam Secretary, there's a motion filed with respect to House Bill

7-1-7, 717. Read the motion, please.

SECRETARY:

I move that House Bill 717 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the bill we talked about yesterday with the low-level radioactive waste siting part for counties. I think the problems have been resolved. I'm...I apologize for the letter from the NRC not getting to...to everyone. I suggest that we would override this and later on today if Senate Bill 961 comes over in a Conference Committee, I'm going to try and put the provision in as the...the Governor amended it but, you know, I don't know just...the House will not let me do it at this current time. So, in...in the meantime, I'd ask for the appropriate motion on this piece of legislation.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, members of the Senate. Just to simply endorse what Senator Joyce has said. As you know, there was some discussion on this issue yesterday. The Governor's Office had some concern with respect to House Bill 717 offered some amendatory language which Senator Joyce agreed with but, unfortunately, it didn't work out in the House. We're going to attempt to get this change made, if not this fall next spring, but nonetheless we support this and would urge the support of the motion.

PRESIDENT:

Discussion? Further discussion? If not, the question is, shall House Bill 717 pass, the specific recommendations

of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 717 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. 1781, Senator Keats. Motion in writing, Madam Secretary, with respect to House Bill 1781. Read the motion.

SECRETARY:

I move that House Bill 1781 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Okay...is it on? Thank you.

PRESIDENT:

It is on.

SENATOR KEATS:

There we go. 1781...

PRESIDENT:

The world is waiting.

SENATOR KEATS:

Thank you, Mr. President, had not been on...okay. This bill passed 113 to nothing in the House, 58 nothing here, House overrode 92 to 18. You received a letter yesterday from Senator Vadalabene, myself and Senator Mahar describing what's in the bill, again, it costs no money whatsoever. It has three component parts. One deals with the Department of Conservation and allows them although it does not mandate that they transfer some property. Senator Dunn will speak about that in a moment because we both recognize part of this

bill calls for on the transfer of property the state doesn't own, so needless to say they are not going to do it, and Senator Dunn does not particularly want them to do that. Second part says that if there's state property, it cannot be transferred by the Executive Branch without legislative okay which is what the law was until January 1st of this year, and we are returning to previous law; and the last part allows the downstate school district to buy twenty acres of excess property at fair market value, no special deal, they're just buy property and...and that's an agreed one. I would ask for your support and...and Senator Dunn will comment on the Joliet portion.

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

...thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Dunn.

SENATOR THOMAS DUNN:

Senator, is it your understanding that you have a commitment from the department that what is being asked relative to Will County will, in fact, not occur?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

I have a verbal commitment from the Department of Conservation that I consider binding that they will not do it...will not give away this land.

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

Nothing further, thank you.

PRESIDENT:

All right...(machine cutoff)...discussion? Further

discussion? If not, the question is, shall House Bill 1781 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 5 Nays, none voting Present. House Bill 1781 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding...(machine cutoff)...Fawell, 1256. Madam Secretary, there's a motion in writing with respect to House Bill 1256. Read the motion, please.

SECRETARY:

I move that House Bill 1256 do...do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Fawell.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I'd like to explain this bill a little bit further. This bill actually allows the forest preserve districts to be put in the same position as the Cook County Forest Preserve. Right now, the Cook County Forest Preserve are exempt from eminent domain proceedings. This would allow other forest preserves to be in the same position. It also raises the threshold of bidding to ten thousand dollars from four thousand dollars but it also requires now that that bidding must be advertised in a local newspaper. It has...a technical change, the...the Statute of persons states that the number of votes needed to pass an ordinance mentions only appointed members, now it will also include the elected members which is what some of the forest preserve districts asked for in downstate. It also raises the bidding threshold for park districts from four thousand

to ten thousand; again, they must advertise. The...the park districts are most concerned that that...that be allowed to go through. What was taken out was that the golf courses in Lake County, DuPage County, McHenry County...no longer have the right of first refusal for the...for the sale of golf courses. Right now, of course, forest preserves do in...in effect have the right of...of eminent...of...eminent domain and so I'm not sure that makes much difference. I would ask for your...your vote, this is a very important bill not only for the forest preserves but also for the park districts.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 1256 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes, 18 Nays, none voting Present and the motion falls. All right, ladies and gentlemen, that effectively concludes the Order of Motions in Writing. We will now move to the Executive Committee...Executive Appointments Committee report, if Senator Lechowicz is ready, to address the question of advice and consent of gubernatorial appointees and then we will move to the Order of Conference Committee Reports and hopefully carry on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Madam Secretary, committee reports.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration, to which was referred the Governor's Messages of October 21, 1987 and November 4, 1987, reported the same back with the recommendations that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Messages of October 21st, 1987 and November 4th, 1987.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Lechowicz to resolve ourselves into Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of October 21st, 1987, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have...Senator Netsch.

SENATOR LECHOWICZ:

Why don't we take the caucuses off the Floor, that...that will help, number one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, could you take your caucus off the Floor, please. Senator Lechowicz.

SENATOR LECHOWICZ:

To be the director of the Department of Lottery for a term expiring January 16th, 1989, Sharon Sharp of Chicago.

To be assistant director of the Department of Public Health for a term expiring January 16th, 1989, Christopher Atchison of Chatham.

To be assistant director of the Department of Conservation for a term expiring January 16th, 1989, Katherine Selcke of Springfield.

To be a members of the Illinois State Police Merit Board for a term expiring March 5th, 1993, David Schippers of North Brook.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...you've heard the motion...does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of November 4th, 1987, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Pollution Control Board for a term expiring July 1, 1989, Michael Nardulli of Chicago.

To be members of the Illinois Racing Board for a term expiring July 1, 1992, David Dan of Urbana, Hubert Massa of Chicago.

To be members of the Board of Review for terms expiring January 16th, 1989, Bruce Barns of Palos Park, Edward Caprume of Kankakee.

To be assistant director of the Department of Mines and Minerals for a term expiring...January 16th, 1989, John

Vancil of DuQuoin.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has an objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of October 21st, 1987, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends the Senate do advise and consent.

To be a member of the State Board of Education for a term expiring January 16th, 1989, Lyle Neumann of Chicago.

Member of...State Board of Education for a term expiring January 21st, 1991, Jesse Rios of Chicago.

Member of the State Board of Education for terms expiring January 18th, 1993, Patricia Rubin of Wilmette, Louis Mervis of Danville.

To be members of the Metropolitan Fair Exposition Authority for a term expiring June 1, 1988, Timothy Roche of Elmhurst.

Term expiring June 1, 1989, Jim Bolin of Oakbrook.

Term expiring June 1, 1990, Glen...John Glennon of

Flossmoor.

To be a member of the Metropolitan Fair Exposition Authority for a term expiring June 1, 1991, Alexander Lerner of Glencoe.

June 1, 1992, Anthony Mandolini of Glenview.

June 1, 1993, Patrick Daly of Wheaton.

To be members of the Kaskaskia Regional Port District Board for terms expiring June 30th, 1988, George Donner of Mascoutah, Edwin Cockrell of New Athens, John Huetsch of Waterloo, Keith Pickett of Columbia, Norm Rieso of Freeburg.

To be members of the Kaskaskia Regional Port District Board for terms expiring June 30th, 1989, Arthur Macke of Marissa, Francis Osborn of New Athens, Leo Pautler of Evansville, Robert Rippelmeyer of Valmeyer, Larry Stahl of Smithton.

To be a member of the Advisory Board for the Department of Conservation for terms expiring January 21st, 1991, Ronald Summers of Thompsonville.

Expiring January 18th, 1993, Rodney Brenner of Golconda, Margaret Hollowell of Bloomington.

To be a member of the Labor Management Corporation Committee for a term expiring July 1, 1988, William Hogan, Sr. of Barrington.

To be the public administrator, guardian and conservator for Coles County for a term expiring December 4th, 1989, John Dively of Charleston.

For a term expiring for Marshall County, December 4th, 1989, Donald Knuckey of Henry.

For Monroe County for a term expiring December 1st, 1989, John Huetsch of Waterloo.

To be a member of the Will County Metropolitan Expo Center for a term expiring December 12th, 1991, Joe Mikan of Lockport.

To be a member of the Capital Development Board for a term expiring January 21st, 1991, Van Price of Olympia Fields.

To be chairman of the Capital Development...Board for a term expiring January 21st, 1991, George Peters of Aurora.

To be a member of the Children and Family Services Advisory Council for terms expiring January 16th, 1989, Gene Reineke of Springfield, Gregory Harris of Springfield.

To be a member of the Soil...State Soil and Water Conservation Advisory Board for terms expiring January 16th, 1989, Greg Steele of Princeton.

Expiring January 21st, 1991, Robert Reifschneider of Belleville, Earl Shafer of Wyoming and Kenneth Kesler of Dewey.

To be a member of the Guardianship and Advocacy Commission for a term expiring June 30th, 1989, Leroy Ufkes of Carthage.

To be a member of the Board of Higher Education for a term expiring January 31st, 1993, David Paulus of Chicago, William Browder of Wilmette.

To be a member of the Illinois Sports Facility Authority for terms expiring July 1, 1988, Perry Snyderman of Highland Park.

July 1, 1989, Gayle Franzen of Wheaton.

July 1, 1990, Gerald Stillman of Franfort.

To be chairman and member of the Illinois Sports Facility Authority for a term expiring July 1, 1991, Thomas Reynolds of Winnetka.

To be a member of the Board of Natural Resources and Conservation for a term expiring January 16th, 1989, Roy Taylor of Glencoe.

To be a member of the Illinois Job Training Coordinating Council for a term expiring July 1, 1988, Scott Gelzer of Chicago.

To be members of the Board of Governors of State Colleges and Universities for a term expiring January 18th, 1993, James Garner of Macomb, Evelyn Kaufman of LaSalle, Robert Ruiz of Chicago.

To be a member of the Health Facilities Planning Board for a term expiring March 30th, 1990, Joyce Washington of Forest Park.

To be members of the Rehabilitation Advisory Council for a term expiring January 11th, 1993, Diane Crutcher of Normal, Janet Wilson of Granite City.

To be a member of the Board of Trustees of the Historic Preservation Agency for a term expiring January 16th, 1989, Richard Roddewig of Riverside.

To be a member of the Illinois State Board of Investment for a term expiring January 16th, 1989, William Schumann of Burr Ridge.

To be members of the Illinois State Board of Investments for terms expiring January 16th, 1991, Joesph Butler of Oakbrook, William Fox of Champaign.

To be a member of the Illinois Community College Board for a term expiring June 30th, 1989, Ercel Davis of Rapid City.

For terms expiring June 30th, 1993, Rosemary Ziska of Wheaton, Robert Sechler of Rockford.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator, just one question. I noticed when you read the...the members of the State Board of

Education at least in the order that we have them, Louis Mervis' name did not follow Mrs. Rubin's name...did you omit that or did you read it at some other point in...in that list? I...just for the record want to make sure his name was read.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

It was read at some other point in the list.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of November 4th, 1987, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Advisory Board of the Department of Conservation for a term expiring January 18th, 1993, Anthony Scronic of Chicago.

Mr. President, having read the unsalaried appointment, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, does the Senate advise and consent to the nominations just made.

Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved that the Senate arise from Executive Session. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate has arose from Executive Session. All right. With leave of the Body, we'll go back to the regular Calendar. Senator Hawkinson, for what purpose do you arise?

SENATOR HAWKINSON:

Thank you, Mr. President. I would like to move to suspend the rules for immediate consideration of House Joint Resolution 137, a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson, have...have we read it...have we read the Message in yet from the House. All right. It's on the Consent Calendar, I'm told. All right. With...with leave of the Body, we'll go to the Order of the Resolutions Consent Calendar for the specific purpose of taking up House Joint Resolution 137. Senator Geo-Karis.

SENATOR GEO-KARIS:

I...Mr. President, I have circulated a copy of the Resolution 594 and had the permission of...from the President of the Senate to go ahead with it, you know, cleared it with him. I did, believe me, I did and I did circulate a copy of it and I would like to suspend the appropriate rules to...

HB 529
Conf. Comm. Report

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...wait a minute...wait...wait...let's...let's...let's do this. We...we...we haven't gone to the Consent Calendar yet, we haven't sought leave. So let's...why don't we just go to the regular order of business here and we'll come right straight back to it, how's that? All right. The regular Calendar, page 7, Conference Committee Reports...Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, while we have everyone's attention. I'm just...this is the last call for the Veteran Day speech that I have on my desk. Now they're going like hotcakes and I'd like to get rid of them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene is selling hotcakes at his desk...oh, no, the...Veteran's Day speech, I mean, I'm sorry. All right. With...all right. Page 7 on your regular Calendar, Conference Committee Reports. With leave of the Body, we'll come back to 513. Is there leave to do that? All right, leave is granted. House Bill 529, Senator Karpiel. Senator Karpiel, House Bill 529, Conference Committee Report? Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 529.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

(Machine cutoff)...you, Mr. Speaker and members of the Senate. House Bill 529...the Conference Committee on House Bill 529 deletes the bill that it...entirely and it substitutes what was House Bill 2480. One of the problems with the 2480...the bill was the implications of the temporary restraining order provisions and prior

restrain...implications. But it's been modified to exempt public libraries and libraries operated by public libraries and libraries operated and accredited by an institution. So they have been taken out of the bill. What the bill does is it extends criminal liability to corporations for the offenses of child pornography and obscenity if these offenses are committed by agents of the corporations while acting within the scope of their employment or duties. Basically, what the bill is, it's a...it takes the forfeiture provisions that are in the Narcotic Profit Forfeiture Act and...and applies it to the child pornography...forfeiture provisions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Berman.

SENATOR BERMAN:

(Machine cutoff)...the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Berman.

SENATOR BERMAN:

Does this forfeiture provisions allow for the seizure of property before there is either a judgment or a conviction?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

I think that...first of all, I...I think not. I think there has to be a court order on that. It's a temporary restraining order and they would just hold it until either there...there was a conviction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

There's a difference between a court order and a judgment or conviction. Let...let me try to take you through this so that we understand what we're voting on. Am I correct from what your explanation is that if I'm the local state's attor-

ney and I think that somebody is distributing not child pornography but obscene literature, I can run into court, get a court order and have the property of that business person seized until the court disposes of the charge of obscenity. Is that what this bill does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

Well, it...it...yes, it...it keeps them from dispersing or getting rid of these...their assets prior to a conviction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, ladies and gentlemen, I rise in opposition to this bill at...at this time. Let me tell you what we're talking about here and...first of all, we're dealing with the question of obscenity, and if there is anything that is not clear in the law is what is obscene. What is obscene to me may be very proper to you, and what this bill is saying is that the property of a business...of a corporation that is in the business of selling what one person, perhaps the local state's attorney, thinks is obscene can go in and get a court order to seize that company's property and hold it until the determination of whether that item that they're selling is in fact obscene. Now what you're, in fact, doing in reality is putting this company out of business without due process, because when the state's attorney or the court seizes that company's property, it may be two months, six months, in Cook County two years before...or longer before a determination is made as to the merits of the charge regarding obscenity and I've just got to tell you that it doesn't make sense. We have procedures for due process, you have procedures to combat obscenity. What they're...what they're following in this is the narcotics law. Well, ladies and gentlemen, in

narcotics, you run a test, you know whether you've got a narcotic arrest or not, whether that bag of white powder is or is not a...a drug. In obscenity, I don't know what's obscene, you don't know what's obscene, the Supreme Court doesn't even know what's obscene; and I just tell you on behalf of your business people, you know,...what is it, Seven Eleven's I think used to sell Playboy and...and Penthouse, in some communities they didn't like that and they took them off. Under this bill the...the total assets of the companies that have those convenience stores would be seized for an undisclosed amount of time until they determine whether Penthouse was obscene or not. I think this is the wrong approach to a serious problem, but this is not the way to go. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you...thank you, Mr. President. I think the...the points that Senator Berman have made cover most of the landscape now and it is really a very serious issue. The...it is not just the point and let me underscore a couple of them, that unlike narcotics, you do not know obscenity until it has been conclusively determined by a court and often a very high court that it is obscene. But it is also true, as he pointed out at the end of his comments, that you're not just talking about sleaze dealers in something, you are often talking about drug stores and other "perfectly respectable" retail outlets that sell publications that someone may determine to be obscene. I think you are really putting a very large number of businesses at risk who ought not to be put at risk, but beyond that and in addition to that, there is really...there...there may be the...the trappings of due process in here but there really, in fact, is not that much due process. You're talking about probable cause to believe

something may be obscene. Well, when you give...are given the fuzziness of what is obscenity and then a probable cause standard, it seems to me that you are really passing something that is highly suspect on constitutional grounds and, in any event, ought to be. Bear in mind that this is not limited to child pornography. I don't see anything in here...I mean, there may be something in someplace about child pornography in here but that is not what this bill is basically about. So it is a very frightening piece of legislation.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I think what needs to be appreciated in this legislation based on some of the prior comments is the distinction between...between the seizure of property on the one hand which can only take place after conviction and the consequences of a...of a probable cause finding which simply means that the...that the disposition of the...of the property is to...is to remain undetermined, that the...that the assets are not to be dissolved or transferred until...until the disposition of the criminal case takes place and...and the consequences of...of that are...are not severe from the standpoint of one who is being accused of trafficking an obscenity. It's simply...it simply means that the...that the assets remain in...in the same place, that the...that the proceeds of the business remain in identifiable accounts so that if there is ultimately a conviction, then the assets could be seized but not...not until such time as that...as that final determination is made. So from...from that standpoint, we, the proponents of this legislation doubt very much and argue strenuously against any contention that...that the temporary restraining order provisions in the bill would...would violate any constitutional

rights, and I think it's important to...to recognize that distinction and...and not be swayed by the...by the arguments that a probable cause finding will result in...in some sort of seizure of property.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Thomas Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. I'd just like the record to reflect that while my name is typed on the back of this, it doesn't bear my signature because I was not asked to sign it, and I...I think a serious question and issues such as this should not be left to a last minute debate. I think this is something that...it's a serious problem has been alluded to but I think really that it's...it's unfortunate that it's presented to us...in this manner.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion? Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I notice on these Conference Committee Reports that a number of people have not signed and they have...I've asked them and they said they have never been asked. We ought to at least...if they...if a person is on this Conference Committee, they should be approached to see if they're willing to sign it...we...we've got about three of them here on the desk and many people haven't signed...just like Senator Dunn just finished saying...saying he wasn't asked.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Netsch for a second time.
Senator Netsch.

SENATOR NETSCH:

Yes, thank you. I just wanted to make clear to Senator Barkhausen that I fully understand that the actual seizure and disposition of the property does not take place until a

later stage, but you are nevertheless authorizing the tying up of the property, that is, the inability of the businessman...or whoever to do anything with their property during this period of time. And, again, if you're talking about...a Seven-Eleven or a Walgreens Drug Store or whatever it might be, you are still putting them at enormous risk. Now, admittedly, we are all in the...the difficult position of having to speed read through this since it's coming to us, you know, thirty seconds before we have to vote on it, but that is my reading of the language that I see precisely in these provisions and that is if not quite as serious as authorizing the actual seizure, it can in many cases be almost as serious.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Karpiel may close.

SENATOR KARPIEL:

Thank you, Mr. Speaker. First of all, I'd like to clear up a few points. This bill is not a new bill that is coming to you at the very last minute. This was a bill that went through the process last year, it was passed by the House and it...it was through the committee of...in the Judiciary Committee in the Senate. It did not get out of our Judiciary Committee, it was a tie vote. It then came back as a Conference Committee report on this 529. It was again passed as a Conference Committee report in the House and the only reason we did...we never got it called in the Senate because it didn't come...get passed in the House until June 30th. So this bill has been through the process several times, it's no surprise to anybody...number two, I would like to point out that this is not involving cases dealing with your Seven-Elevens or your Walgreen Drug Stores because none of their material has ever been found to be obscene. Third, I'd like to point out that we are not...as Senator Barkhausen

said, we are not seizing anybody's property prior to conviction in this bill. You have to first show that...first have to be...it has to be shown that there is a linkage between the assets and between...that those assets were obtained through pornography, child pornography and until the time of a conviction this property is simply held in abeyance. There is in the bill...there is a...it provides for accounting, inventorying of identifying this...these assets and being held until...or until a conviction is either obtained or not obtained. One of the previous speakers also said that this is a frightening bill. The people that should be frightened by this bill are people that run adult book stores, that's who we're going after, adult book stores, pornographic materials and those most disgusting of all human beings child pornographers. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEHUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill...529. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 6, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 529 and the bill having received the required constitutional majority is declared passed. 615 is a skip. House Bill 871, Senator Marovitz. 1421, Senator...all right. Senator Davidson seeks leave of the Body to...to handle House Bill 1421 on the Order of Conference Committee Report. Is leave granted? Leave is granted. On the Order of House...Conference Committee Reports, bottom of page 7, is House Bill 1421. Mr. Secretary.

REEL #2

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1421.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate. This was sent over on June 30th which had already been adopted by the House and the Conference Committee too late for us to take action on it. What it does is incorporated several bills which passed the Senate unanimously or almost unanimous, particularly Senate Bill 37 which had twenty-eight or thirty only...hyphenated cosponsors on a place to hunt. And what the Conference Committee does, it immunizes volunteer coaches and referees in not-for-profit sports programs from liability, it requires doctors and nurses to report to the State Fire Marshal patients with burns of over fifty-three percent of their body, which was a Senate bill by Senator Friedland. And it broadens the liability exemption for landowners allowing free recreation use of land. And it immunizes volunteer nurses from civil liabilities that does the other of us in the health care field. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1421. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1421 and the bill having received

HB 2354
1st Conf. Comm. Repts.

the required constitutional majority is declared passed.

Page 8, House Bill 1616, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1616.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen...of the Senate. The House concurs in Senate Amendment No. 1 and the definition of master antenna television service remains. The new language is used to return the bill to its original form. What this basically says is that the people who own mobile homes cannot be forced to remove an antenna or pay for a service that they did not originally request. This...I do concur with...with the House on this and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, the question is...shall the Senate adopt the First Conference Committee Report on House Bill 1616. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1616 and the bill having received the required constitutional majority is declared passed. 1806. 2102. 2151. 2276. 2354. Senator Welch. Well, Senator Welch, it's not been distributed yet, so...2354, Senator Berman. Conference Committee Reports, middle of page 8, House Bill 2354, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2354.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This is a...a bill that included provisions that we had previously had in Senate Bill 399 as it affects the Chicago Board of Education. It allowed the building tax rate differential to be utilized for the Education Fund for 1986 as well as '87. The releases...restores the Board of Education's authority to issue bonds for school building rehabilitation as a result of the improved financial ratings given by the bond houses and provides for statutory authority to local school improvement councils regarding the discretionary monies involved in the local budget process. Be glad to respond to any questions. Ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Point of inquiry. I don't believe this report has been distributed either. I would prefer that it be taken out of the record until we have a copy of it.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Hawkinson, it's my understanding your request is that you want it taken out of the record because the report hasn't been distributed, is that correct? All right. Senator Berman indicates that he wishes to agree, so take it out of the record. 2806. Drop down to page 8, Senate Bill 782, Senator Welch. Top of page...middle of page 9, 1326, Senator Zito. Page 9...middle of page 9, Conference Committee Reports. Senate Bill 1326, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1326.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I would move that we accept the First Conference Committee Report to Senate Bill 1326. If you remember, this was the bill that Attorney General Neil Hartigan had introduced. It created the Travel Promotion Consumer Protection Act. It passed this Chamber 58 to nothing, unanimously in the House. And the House has concurred in this Conference Committee by a vote of 115 to nothing. It's...it's an attempt to wipe out the consumer scam in the marketing of worthless vacation packages. The reason for the Conference Committee Report is we realized that there are some decent, good travel packages and travel companies and we included language in this Conference Committee Report to make sure that those individual companies that are of a legitimate nature can continue to operate and really get at the crux of the problem which are these fly-by-night organizations. I would ask that you concur and accept Conference Committee Report No. 1 to Senate Bill 1326.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Friedland.

SENATOR FRIEDLAND:

Would sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Friedland.

SENATOR FRIEDLAND:

Senator, I notice that the Republican members in the Senate didn't sign it. Did you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR FRIEDLAND:

...remarks about this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...I beg your pardon. Senator Zito.

SENATOR ZITO:

I don't know why, Senator Friedland. Politics maybe?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Friedland. Senator Zito.

SENATOR ZITO:

Seriously, Senator, I...I don't know why the Republican members did not sign. I know that this Conference Committee Report was accepted in the House 115 to nothing, so there was no opposition in the House. I'm not familiar or know of any opposition in the Senate. We passed this identical bill 58 to nothing in this Chamber in the spring.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you...thank you, Mr. President. For those members who may be wondering why I didn't sign the Conference Committee Report, I don't recall that this report was ever presented to me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion? If not, Senator Zito may close.

SENATOR ZITO:

Well, I think Senator Schuneman...is owed at least a response from me. You may remember that many of these Conference Committee Reports, ladies and gentlemen, that we're dealing with today were circulated back in June. I frankly don't know what happened, but, again, there has been no opposition to the merits of the legislation. I would ask that we accept this Conference Committee Report as we have done so in the past.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, the gentleman was closing. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. There seems to be a little confusion here, I...as I stated earlier, I don't

recall that I was ever given an opportunity to sign the Conference Committee Report, I don't know that I'm against it. Would the gentleman mind...one more time telling us why we're at the Conference Committee posture on the bill. I...I recall the bill, I don't know whether it's the same measure that we passed out of here, there's been changes made, where we are on it.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator...Senator...Senator Zito.

SENATOR ZITO:

Let me...let me refresh all of your memories. The...this bill, 1326, the Travel Promotion Consumer Protection Act, was established because of the fraudulent businesses that were advertising on backs of matchbooks and...and those...we've all seen those and been solicited by the companies that say, we'll fly you to Hawaii for thirty-six dollars. And then when...when you send the thirty-six bucks, all you get is an invitation for a much higher amount of money and the thousands of dollars to participate in their program. We had realized that the Consumer Fraud Act was really silent for the Attorney General or any other law enforcement agency to involve themselves prior to the violation. This will establish a set of criteria by which our law enforcement officials in the Attorney General's Office can prohibit these businesses from even soliciting that kind of...of offer. The problem...the reason for the Conference Committee Report is after we had passed this legislation, we heard from the travel agency industry who said, wait a minute, there are some good, bona fide travel agents that would be adversely affected with the language we had presented in 1326. We negotiated with them, worked out some language, they have signed off on the bill now. We did not want to hurt the legitimate companies. What we were after were the scam companies, and I think now the Conference Committee...Report

AB 1376
1st Conf. Comm. Report

at least is...is okay with the industry and it should be okay with all of us.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. With that explanation, I think for the members on our side, I would simply say that I had some misgivings about the bill as it passed out of here. I...I think perhaps to some extent it may be more PR than substance, but if...if, in fact, we have cleaned up some of the objections, as Senator Zito has mentioned, I...I think there's no problem in voting the bill out of here. And I'm going to vote for it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1326. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1326 and the bill having received the required constitutional majority is declared passed. 1376, Senator Degnan. All right. Middle of page 9, Conference Committee Reports, Senate Bill 1376, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1376.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee on Senate Bill 1376 incorporates four bills amending the Criminal Code which we have seen in the Senate before; Senate Bill 1376, which expanded those liable for a criminal sexual assault and

aggravated criminal sexual assault to include an accused who was the person responsible for the child's welfare and passed this Body 58 to nothing; Senate Bill 1375, which requires the court to impose consecutive sentences where a defendant is convicted to multiple felony offenses and one of those offenses is a criminal sexual assault or aggravated...criminal sexual assault, passed this Body 57 to nothing; Senate Bill 1404, which increases the penalties for theft based on the value of stolen property, passed this Body 57 to 1; and Senate Bill 1443, which creates a new offense of solicitation of murder and solicitation for murder for hire and establishes appropriate penalties and passed this Body 59 to nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Pursuant to instruction, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Carroll.

SENATOR CARROLL:

As a matter of legislative intent, does this relate to preemptive challenges?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

No, that provision was again suggested by the State's Attorney of Cook County, Mr. Daley. He has long believed that the best approach to end the controversy surrounding preemptive challenges is to do away with them altogether so as to assure public confidence in the integrity of our jury system, swiftness of justice, fiscal responsibility and judicial economy. However, we were not able to put that in this Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate adopt the...First Conference Committee Report on Senate Bill 1376. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill...I'm sorry, on Senate Bill 1376 and the bill having received the required constitutional majority is declared passed. 1506, Senator Alexander. On the Order of Conference Committee Reports, middle of page 9, Senate Bill 1506, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1506.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. I humbly request that the Senate accept the First Conference Committee Report on Senate Bill 1506. While this bill was in the House, House Amendment No. 1 and 3 was attached to it which dealt with the local government financial planning in a town called Robbins, Illinois. The House has now receded from Amendment 1 and 3. Senate Bill 1506 is in the present form as it left the Senate with some minor technical changes. And I respectfully ask this House to agree to accept the First Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I may. Senate Bill 1506 did do all of the things that Senator Alexander has suggested but I don't know that the changes made to it in terms of what went on in the House are just minor and technical. They've significantly expanded

the types of organizations which would have the agencies that would have to have these public hearings, and...and I think it just brings in such groups as like, United Way, various state departmental programs, things of this sort. So, it...it far and away expands the definition of who you're pulling into this net, and, you know, I think it may...may prove to be a little bit too heady in what we're trying to achieve here in terms of cost, in terms of convenience, in...in terms of just letting it trip on these organizations which are pretty well thought of, have good reputations, are sound in communities, have been around for numerous years, and I don't know that we necessarily want to do that. Could you comment on that, Senator Alexander?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Thank you. Senator Topinka, in the final days, the June 30 days of these Sessions, United Way and the organizations who had some concern about the wording in 1506, in fact, worked with the House sponsor and myself and other legislators in the House, and that what you see now is a result of that meeting, those technical changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, I know that the Department of Public Health, the Department of Public Aid still have concerns about it. We had enough of a concern about it, you know, that you'll see that the people who have signed on this, it's...it's a rather partisan signing of this particular Conference Committee Report, and I guess I'll rest my case on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

She indicates she will yield. Senator Fawell.

SENATOR FAWELL:

This bill concerns the financial integrity of local governments. Is...is that basically what we're talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Senator Fawell, this bill has nothing to do with the financial integrity of any state, local agency or group that would desire to come into an area and establish community base services.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell. I beg your pardon, Senator Alexander. Senator Alexander.

SENATOR ALEXANDER:

Thank you. Senator Fawell, forgive me for giving you that reply. I think you're making references to the Senate...House Amendments 1 and 2 which did deal with local government financing. I have stated before this Body that those two amendments have been removed from this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Well, thank you, very much. The reason I'm...I'm asking about this bill, as Minority Spokesman of the...of the Local Government, very frankly, I've never even set eyes on this bill until after you gave me your answer, and I just got a...a copy of the bill. This has never gone through any committee, and my understanding is that it was originally...what...what...committee did it ever go through? I'm

sorry, but I...I've never seen the bill before.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Senator Fawell, permit me to explain again. What you have reference to did not come through your committee, it was a House amendment from which they have now receded.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Indicates she will yield. Senator Kelly.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Alexander, you mentioned the Village of Robbins. Can you explain what this legislation will affect the community of Robbins, please?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Alexander.

SENATOR ALEXANDER:

This bill has nothing at this moment, this time, to do anything with the Village of Robbins or any other municipality.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Kelly.

SENATOR KELLY:

Well,...no, I just...I...I thought you said Robbins, that's when...and I...and there is some legislation circulating on the subject of the Village of Robbins so that's why. Okay. Thank you.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Davidson.

SENATOR DAVIDSON:

On page 2, this Conference Committee Report says, "Thirty days prior to a scheduled hearing of a public hearing the agency shall take notice out in the newspaper, et cetera." Are you saying that any of these community based agencies are going to have to pay to have notice put in a newspaper in general circulation and is it...what...are we talking about just a legal notice that most people don't read or et cetera? What is the thrust behind this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

...Senator Davis, in many communities there are not local newspapers of any appreciable amount. This bill permits any agency or group who is interested in establishing in a community to really hand print a notice and put it in any local drug store...grocery store, on the window of any business that would permit them to do so, in the community where they are trying to establish themselves so that the community and the residents can be advised what is being placed in their neighborhood or in their community, and what it will be doing in their community. What good is it for me to know that they have abuse violent shelters throughout the state and I don't know where to go to and my husband has just beat the hell out of me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

You didn't answer my question. Is the agency responsible for paying for the ad and having to place it, are we talking about a legal ad that...that's lost in fine print in the

newspaper or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Senator Davidson...the bill at this present moment is silent about who pays for what, and I am sure the services that would be rendered by these excellent agents, they would find it advantageous for me to know about it so that I can take advantage of their services for the cost, if it would be a cost or they would be responsible to pay for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, it may be silent to you but it's not silent to me when it says the agency shall take out the notice. Any agency that's going to take that out in the newspaper whether it's you or an ad agency or a corporation that's going to pay for the ad. Frankly, the only part you mentioned in your first answer, which didn't answer my question about the notice, that only comes about if there's no general newspaper circulation in the area. It only talks about it in five public places in the community and there is debate whether a grocery store is a public place or not. Frankly, I look at this...that I know the mental health community agencies in my area have opposed this bill. Have you removed their objection in this Conference Committee Report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Thank you. The department that you just gave reference to has not given me any indication at this moment that they want the bill. Does that answer the question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

She didn't answer my question. I...I'm sorry; one, I couldn't hear due to the side noise, and two, I didn't hear you answer the question...

PRESIDING OFFICER: (SENATOR DEHUZIO)

Well...

SENATOR DAVIDSON:

...that you have removed the objection of the mental health associations that had...locally who have opposed this bill. Did you remove those objections in this Conference Committee, yes or no?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Senator Davidson, I know you are an astute person and read. You do not see any removal of any agency with regards to the legislation before you, and the objections of that are being raised and have been raised are perhaps ill-founded. This bill is not intended to incriminate any agency or any local agency that desires to come into a community.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion? Senator Davidson, your...your time has almost expired. I'll be glad to come back to you on a second time. Senator Davidson.

SENATOR DAVIDSON:

Well, I understand it, but she didn't answer the question, and I'm going to oppose this bill because it hasn't removed the objection. All you got to do is read on the first page, B, and see what community based services are and what it all includes and it's all inclusive. I think you better take a look at this turkey and then send it back and do a Second Conference Committee and remove people's objection.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in very strong support of this Conference report, and let me just tell you why. And I don't even know if...if this is the...objective of...the persons who originally put this bill together. But let me tell you what the effect of this bill will be in our communities. Today, and especially at a time when there is a shortage of money for meeting critical human service needs, there...there...there are places like the West Side of Chicago for example, where every day you look up and you see a new group popping up all over the place with state dollars or Federal dollars to provide services to the community, now, without...without consulting anyone in that community about whether or not there is a need for that service. In many cases, thousands and millions of dollars that should be going for direct service delivery is...is going directly to provide professional people with jobs. So that if, in fact, there is a need for a service to a community, then that community ought to know and...and also sanction the need for that service before that service can just pop up in a community. Often the services are already existing in the community and that is...not a need for that kind of service but maybe those dollars could well serve their community in some...some other capacity. So that's what this bill does. And it should have been a policy all along that the community should know first and sanction before these programs operate in the community, because that's all social service dollars go for today is to...for hire and to give professional people good jobs. So I say this is a good Conference Committee Report and we should adopt it.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Topinka, for a second time.

SENATOR TOPINKA:

Yes. I'm so sorry to speak for a second time, but I would like to make note that when we discussed this bill in committee that it was originally brought forward that there would be five public notices, and...and the implication was given that this was going to be like in grocery stores or hung up on bulletin boards to make people aware. And I think everybody kind of bought off on that including United Way, Catholic Conference, et cetera. And I think it was our intention at that time not to go with ads or public hearings and that hopefully that would be removed. Well, in this Conference Committee, this comes back. Now the same people that we have out soliciting for monies to put into charitable efforts or programs will have to use that money to pay for ads are going to have to use that money to hold public hearings. The question also I would bring up was, then if you use something like United Way or Catholic Charities, would you have to move this around to every place that you hold this service, could you do it corporately, do you have to create a road show that moves around to do this? I mean, it...it could get pretty expensive. So, I...I don't know what the costs would be involved here but I think it could get expensive.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion? If not, Senator Alexander may close.

SENATOR ALEXANDER:

Thank you, Mr. President. Senator Topinka, my office, and I'm sure every legislator here, if such an incident should come about in their district and there would be a cost factor involved, they...be willing to print a flier or a notice for a legitimate agent coming into their area. This merely...this bill does nothing more than says to the residents of a community...and it's limited in scope as to who would be notified about the services that are being proposed

for their area. You go to bed at night and you wake up the next morning and the doors are open and here is blah, blah, blah sitting there in the middle of your district. You, as the legislator, knows nothing about it, and the community is up in arms about what is this, what does it do, how did you let it come in here and you have no answers to give to your constituency. There has been incidents in my area where agencies have come in, purportedly legitimate, and an investigation has found out that their financial audit trail and records subject them almost to penalty and criminal procedures, but yet and still they were there operating. There is a matter pending right now where the state gave a building for one dollar a couple of years ago for what was perceived to be community services in an area, a very well-established area, for which the state later found out that it was used as a dope den and it housed members of the El Rukin gang. This piece of legislation would somewhat safeguard you, the representative of that area, in knowing what is coming in to your district and the services that are supposed to be provided and will be provided if they are legit. or that you, as the representative, and your constituencies could then say, no, this agency or this...project is not performing the duties that they are receiving state or local funds for and they should be removed from the community. I earnestly solicit your Aye vote to accept the First Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEHUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1506. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 24, 1 voting Present. Senate...Senator Alexander, this...this

HB 2151
C.C. Report

Conference Committee Report has an immediate effective date, therefore, requiring thirty-six votes. The Senate failing to...to have a majority...constitutional majority of those members voting in the affirmative, the Conference Committee No. 1 is not adopted and the Secretary shall so inform the House. Senator Alexander.

SENATOR ALEXANDER:

Thank you, and I will bring it back to you again next year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

There are two remaining...bills that we...we skipped over on Conference Committee Reports. With leave of the Body, page 8, is House Bill 2151. House Bill...Senator Berman, we'll come to you right next...okay. House bills...Conference Committee Reports, top of page 8, House Bill 2151, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2151.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This Conference Committee Report includes a couple of pieces of legislation that passed out of the Senate and were sent to the House as well as some clean-up language requested by the Secretary of State. What the bill does isn't...in particular provides that the written results of blood alcohol tests conducted upon persons receiving medical treatment shall be admissible in prosecution for DUI or wreckless homicide. As it is now, they cannot be admitted unless there is consent. Secondly, the Secretary of State requested clarification of when a person failed to appear in court after they signed a traffic ticket on the back saying that they would appear and then didn't. That law was repealed; however, the cases that were on the books prior

to July 28th of 1986, are in a status that it's unclear whether those people were suspended and that suspension continues. This will clarify that and the Secretary of State believes this will clear up a backlog. It also allows for the issuance of honorary counselor license plates to officials of the Taiwanese Government and to U. S. Nationals or residents appointed as Honorary Counselor Offices. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill...I beg your pardon, on House Bill 2151. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2151 and the bill having received the required constitutional majority is declared passed. All right. House Bill 2354, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2354.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I want to redo this, so I'm going to move that we not adopt the First Conference Committee Report and that a second one be adopted...be requested.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right. Senator Berman, you want to repeat that, I'm not sure everyone heard you. Senator Berman.

SENATOR BERMAN:

I'm going to move that we...reject the First Conference

*HB 2354
1st conf. Comm. Rept.*

AB 513
1st e. e. R.

Committee Report and that a second Conference Committee...Committee be appointed.

PRESIDING OFFICER: (SENATOR DEHUZIO)

In other words, you want to dump it. All right. The question is, shall the Senate adopt the First Conference Committee Report on House Bill 2354. Those...those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 17, the Nays are 28, 1 voting Present. The...Conference Committee Report having failed to receive the required constitutional majority is not adopted and the Secretary shall so inform the House. And the sponsor moves for a Second Conference Committee. With...we have one bill remaining on this order of...of business, it is page 7...top of page 7 is the Conference Committee Reports on House Bill...513. And with leave of the Body...is there leave to have Senator Barkhausen handle that bill for me? Leave is granted. On the Order of...of Conference Committee Reports is House Bill 513, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 513.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Conference Committee Report on House Bill 513 contains two separate provisions, the second one being responsible for the bulky nature of the Conference Committee Report now probably buried somewhere on your desk. In the first place, House Bill 513 provides that merchants engaged primarily in the business of selling tangible personal property may offer check cashing services and impose fees therefore. However, an amendment to the bill makes clear that no fees can be charged when the check tendered

is...is the precise amount of the...of the value of the merchandise to be purchased. But in other respects merchants may go into the business of...of providing check cashing services. In addition to that, the Conference Committee Report now embodies the provisions of what was Senate Bill 258, that is a recommendation for amendments to Article VIII of the Uniform Commercial Code authorizing uncertificated securities. At the time the Senate unanimously passed Senate Bill 258, I read some fairly extensive comments into the record with regard to legislative intent to the effect that...to make it clear that it is not intended through this bill that futures options and options on futures that are traded on commodity exchanges be considered securities because that is...that is not the case under Federal law. And also such items, futures options and options on futures, cannot as a matter of Federal law be traded on securities exchanges or markets and they therefore cannot be considered, "of a type" as those words are used in this bill, "of a type" commonly dealt in on securities exchanges. But rather than rereading all the comments that I made at the time Senate Bill 258 passed, I would simply here make...make reference to those comments regarding legislative intent. And I would therefore move for the adoption of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 513. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 513 and the bill having received the required constitutional majority is declared passed. Supple-

mental Calendar No. 1 has been distributed. It should be on your desk. Supplemental Calendar No. 1. Same order of business on Conference Committee Reports...is House Bill 2713. Senator Jones. 916, Senator Donahue. Senate Bill 1155, Senator Marovitz. Supplemental No. 1. Senate Bill 1155, Mr. Secretary...(machine cutoff)...Secretary, 1155, Senate Bill. ACTING SECRETARY: (MR. HARRY)

Second Conference Committee Report on Senate Bill 1155. PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the bill that requires the State Police to collect and disseminate information related to criminal incidents motivated by race, color, religion or national origin. The State Police are totally supportive of this bill, they drafted the Conference Committee Report which says that...that implementation of this is contingent upon the availability of State of Federal funds to...revise and upgrade the Illinois Uniform Crime Reporting System. They're expecting six hundred thousand dollars from the Federal Government. This bill will only go into effect if, indeed, they get that money. The State Police are in favor of it and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON

Does this Conference Committee Report contain the same definition that use the words, "apparently motivated" as the original bill?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator...Senator Marovitz.

SENATOR MAROVITZ:

The definitions have not been changed.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, we had some...some debate on this bill last spring and...and my concern was that...that it would in all likelihood be very difficult to collect this information and to report it with any degree of precision. And...and also...my concern had to do with an estimated price tag of six hundred and sixty thousand dollars, which even if it's not state money and is Federal money instead is...is, in fact, real money; and in light of our budgetary problems, both state and Federal, I question the...the need for this legislation.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, this...Conference Committee Report specifically says that the funds...it will be contingent upon the availability of state or Federal funds to revise and upgrade the Illinois Uniform Crime Reporting System. And since the State Police drafted the amendment, I think we should go ahead because there is a need for it, let's not kid ourselves. I've had the Ku Klux Klan next door to me, for heaven sakes, and a few other little radical groups, and I think it's time that we do make this available, and if the funds are available. So we're not pushing for funds unless they're available. I move for the passage.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Further discussion? Senator Marovitz, you

wish to close? The question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 1155. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 13, 4 voting Present. The Senate does adopt the Second Conference Committee Report on Senate Bill 1155 and the bill having received the required constitutional majority is declared passed. All right. Senator Jones has joined us again, he doesn't wish to call it though. All right. Senator Jones, for what purpose do you arise?

SENATOR JONES:

On the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Jones has finally made up his mind. On the Order...Supplemental Calendar No. 1, House Bill 2713, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2713.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. First, I'd like...ask leave of the Body to add Senator Berman as a hyphenated sponsor of House Bill 2713.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Well, is there...is there leave to do that? Leave is granted. It's unanimous. Senator Berman is added as a hyphenated cosponsor. Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Body. At this point, I would like to yield to Senator Berman who will speak my conscience on 2713.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Jones yields his conscience to Senator Berman. Senator Berman.

SENATOR BERMAN:

One of...one of...one of us is in big trouble...House Bill 2713, the Conference Committee Report addresses a problem that was brought to our attention in House Bill 1848. 1848 eliminated a mandatory retirement age for state employees. The problem that arose in that bill was that the State Police should not have been included in that bill. We tried to work out amendatory language, that didn't work, the Governor vetoed it, it was overridden in the House. But when we looked at the merits of the question that the State Police raised, we felt that that was well founded. So we have not moved the override on 1848. The concerns of the State Police are addressed in 2713 and the mandatory retiring...retirement age is eliminated except as to them. It's in conformity with Federal statutory guidelines. I ask your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Is that all that's in the bill, is there anything...cause we have no analysis on the Republican side. Now...it might just be fine, I just have no idea what's in it and just...thought it would be fun if I knew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Well,...Senator...Senator Hudson. Senator Hudson, you're on.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Will the sponsor yield? Okay. Senator Berman, I was prepared yesterday to address the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whoop...Senator Berman, did you hear the question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson, would you...

SENATOR HUDSON:

I haven't asked it yet, Mr. President, I was waiting. Senator Berman, I was prepared yesterday to address the concern that you have just spoken relevant to the State Police because truly there was a real...a real bind there, and we had passed two other laws, I think...two other bills, one yesterday and then the one that you would have had. I just want to be very, very sure that the...again, have your assurance that the Illinois State Police concerns relevant to mandatory retirement have been satisfied. You've...you've said they...they are and I...and I believe you, but...okay.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right.

SENATOR HUDSON:

And...and this bill address judges only, is that what it does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes, in fact, the amendment...the language was worked out with the...the lobbyist from...the...State Police people. And we've been working with the Governor's Office, they are...they have...assisted us in the preparation of this. We had to get this approved by the House, which it has been. They've looked at it. I don't think there's anyone that has any problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there's an awful lot of lights on. Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Berman,...while you're saying this takes care of the State Police part, but as I read this it says an Act relating to the compulsory retirement of judges, approved July 29th, 1965 as amended is repealed. Are you, in essence, repealing the mandatory retirement age for judges?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes, I said that in the opening comments. I said that the...1848 dealt with that, this is the bill...we couldn't...the reason I didn't move 1848 was because it not...it didn't address only the judges, it included the State Police.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, are you saying, in essence, then a judge can stay a judge as long as he gets elected or chooses to run without any retirement age limitation period?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I'm...I'm making them the same as the Senators. We can stay here as long as the people allow us and so can the judges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. And that, in fact, is all this bill does, as I read it; it doesn't have anything to do with the State Police other than that other bill had a lot of

other things in it. But I didn't hear anything in...in the opening about judges either.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. I...I think perhaps the smoke is cleared a little now. It was my understanding that all this bill...did was treat judges' compulsory retirement, it didn't affect anybody else, and I...I couldn't understand when Senator Berman was explaining all about the State Police and all the other bills, because I really don't think that's got anything to do with...with this bill. As I understand this, it only affects the judges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President, I'm sorry to belabor this point with my colleagues, but...Senator Berman, you did mention State Police had worked their concerns out of this bill. And I'd just like to know what concerns did they have in there that have been removed that their concerns have been addressed now and the State Police are very happy with judges' retirement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. Senator Dudycz, the...my problem was that I wanted to give you the whole story, the whole story made some confusion. There is a bill on the Calendar that calls for an override, House Bill 1848, that included State Police. The State Police didn't want to be included in that bill, therefore, we have brought this one in that doesn't touch the State Police.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Mine doesn't involve...my question to the sponsor, mine does not involve the State Police, which I understand now are not in it. Why are we eliminating the mandatory retirement for judges? That was part of a...sort of a major breakthrough, as I recall, not too many years ago, and I guess I'm just not quite clear why we would suddenly be undoing it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

There are judges who are capable to perform properly at the age of eighty-three and there are some that are not capable at the age of forty-three. Any judge that is forced to retire I think would have, under Federal laws that have abolished mandatory retirement ages, a very good case for voiding the present seventy-five-year mandatory retirement. This removes it in conformity with the Federal legislation that abolished mandatory retirement ages. There is nothing magic about seventy-five or seventy or sixty-five, and that's the reason that we have eliminated mandatory retirement ages except for a few specific categories such as in law enforcement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? A...a test case. Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR HALL:

Senator, does it say anything if they become...in this that they no longer can properly carry on their functions?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Berman.

SENATOR BERMAN:

This bill doesn't address that, that's provided for in the...administrative operations of the Supreme Court throughout the state as to reassignment and...and taking judges out of assignments that the Supreme Court determines cannot be handled.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Hall.

SENATOR HALL:

One other question. Are they going to continue to pay into their pension fund as long as they're retained?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Berman.

SENATOR BERMAN:

Yes...yes.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Hall.

SENATOR HALL:

I...I just want to be sure that...that...we have to do it and I just want to be sure they do it.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. I...I have to say without analyse of these Conference Committee Reports, I don't know everything about this bill but I did pick up on the conversation that took place between Senator Netsch and Senator Berman regarding the mandatory retirement of judges. Now, first of all, as far as the Federal judges are concerned, Senator Barkhausen tells me, and I think he makes a good point, they're obviously governed by the Constitution of the United States which has right in it that

they have jobs for life. So, it's understandable why the Federal Congress might not be able to overrule the United States Constitution. But I don't see any reason why we, in the State of Illinois, ought to be changing a policy which says that even judges reach ages when they ought to be...or ought to consider stepping down and handing the job over to someone younger and better fit. And to be changing this now seems to be going in the reverse of the direction we ought to be going in light of things like Greylord. I suggest you vote No on Conference Committee Report No. 1 to House Bill 2713.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion? Senator Thomas Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. Well, I...I respectfully disagree with Senator Kustra. I don't think there ought to be any distinction between the people who make the law, such as you, and people who decide whether you made a good law, like the judges.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

As I remember, I was looking up this exact same thing because we happen to have some...some other hearing officers in...in a...in the Industrial Commission, frankly, who have, I have been told, are getting a wee bit beyond the age where they should be sitting as...as hearing officers, and that that is one of the main reasons why we are so fouled up down there. I looked up the Constitution and...I understood and

maybe either you or Senator Netsch could tell me if this is true, that in the Constitution of the State of Illinois it specifically sets out in a certain section that we, indeed, have that right to decide whether judges have a mandatory age...now...for retirement. Senator Netsch, is that...you're one of the Con Con people, isn't that in that Constitution?
PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Berman. Beg your pardon. Senator...all right. Senator Netsch. Well, listen, while Senator Netsch is...is looking that up, why don't I come back to you, there's another speaker that wishes to speak...

SENATOR NETSCH:

I've got it...Mr. President.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Netsch.

SENATOR NETSCH:

I think I...I think I found it. The General Assembly may provide by law for the retirement of judges and associate judges at a prescribed age. So, as far as we are concerned, we can provide for mandatory retirement or we cannot. There are...to be perfectly honest, I would be very surprised if the Federal law does apply to judges...state court judges. So, I...I doubt very much, and this is not a legal opinion, this is just my judgment, that it probably does not apply to judges. I think we are probably free to do as we choose. Then...if that is correct, then the question is, is it the best policy to so provide or not to so provide and that's another matter.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I rise to speak in favor of this Conference report because, first of all, if we can be legislators till...till we're...till we're

ninety, the Federal judges have appointments for life, and all this is doing is trying to make it more comparable to the Federal judges and I think it's only fair. And when it comes to Greylords, let me tell you, some of your younger judges were grayer than gray, so don't blame the older judges alone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman may close.

SENATOR BERMAN:

This brings some...fairness to the situation that the judges must operate under. There shouldn't be mandatory retirement ages for anybody, they should be chosen on their merits and that's what this bill does. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 2713. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 15, 2 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2713 and the bill having received the required constitutional majority is declared passed. There's one additional bill that is on Supplemental Calendar No. 1, it is Senate Bill 916. Senator Donahue wishes to have that called. Senate Bill 916, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Second Conference Committee Report on Senate Bill 916.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. The Conference Committee anal-

ysis has been passed out, so you can see that the Calendar is in error in what this Conference Committee does. It deletes everything that was the original bill. All it does is allow the state vendors that sell state stamps and such as this to be able to provide the Federal wildlife stamps. The money will be put into our Wildlife and Fish Fund and then remitted back to the United States Government minus the administrative costs. I think this is a convenience for our hunters and fishermen and I would hope we could adopt the committee.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 916. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the Second Conference Committee Report on Senate Bill 916 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 2 is now being distributed. Supplemental Calendar No. 2 is being distributed. There's one bill that...that is on there, it's House Bill 2065, Thomas...Senator Thomas Dunn is the sponsor. Supplemental Calendar No. 2 is being distributed, Conference Committee Reports. Everyone have a copy? Seeing no response, I assume that we do. So, with leave of the Body, we will go to the Order of Supplemental Calendar No. 2, House Bill 2065. Conference Committee Reports, Mr. Secretary, House Bill 2065.

ACTING SECRETARY: (MR. HARRY)

Second Conference Committee Report on House Bill 2065.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Thomas Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. This creates the new Act

entitled the Pull Tabs and Jar Games Acts which requires the Department of Revenue to issue licenses to any bona fide religious, charitable or veterans' organization to conduct pull tab and jar games. It's an ongoing existing thing, it ought to be legalized, it was not vetoed by the Governor, it never got to his desk, this went into Conference Committee and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on House Bill 2065. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 15, 3 voting Present. All right. The bill...the Senate does...does adopt the Second Conference Committee Report on House Bill 2065 and the bill having received the required constitutional majority is declared passed. There...the immediate...the effective date is July 1st of 1988. All right. Now it's my understanding that we have completed everything that...so far that we wanted to do. I understand we have some paper work to...to get out of the way so that we won't have to do it at the end of the day. It's my understanding that there are Conference Committees...that are meeting currently now and that shortly we ought to have some resolved to the most burning questions of the day. So, we are going now to try to get the paper work completed. We'll just stand at ease here just for a moment, and while...while we do this and, hopefully, we'll be able to...to get out of here at an early time. All right. Mr. Secretary, what do you have? Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 684 offered by Senator Jerome J. Joyce.

Senate Resolution 685 offered by Senator Dudycz.

Senate Resolution 686 offered by Senators Etheredge and DeAngelis.

Senate Resolution 687 offered by Senators Rock, Philip and all members.

Senate Resolution 688 offered by Senator Thomas Dunn.
All congratulatory.

Senate Resolution 689 offered by Senators Lechowicz, Rock, Philip and all members. It's a death resolution.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Consent Calendar. Introduction of bills.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1559 offered by Senator Demuzio.

(Secretary reads title of bill)

Senate Bill 1516 offered by Senators Berman and Carroll.

(Secretary reads title of bill)

Senate Bill 1561 offered by Senators Holmberg and Severns.

(Secretary reads title of bill)

Senate Bill 1562 offered by Senators Netsch, DeAngelis and others.

(Secretary reads title of bill)

Senate Bill 1563 offered by Senator Holmberg.

(Secretary reads title of bill)

Senate Bill 1564 offered by Senator Severns.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Rules Committee. A Message from the House.

ACTING SECRETARY: (MR. HARRY)

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to adopt the First Corrected Conference Committee Report on House Bill 99 and request a second Committee of Conference to consider the

differences between the two Houses in regards to Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. With leave of the Body...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I've cleared this with the...the President of the Senate and...and Senator Joyce, who said if I cleared it up with the President of the Senate it's okay with him and Senator Karpel, I move to...suspend the rules to...for the immediate consideration of Resolution 594.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. With...with respect to the last Message from the House that was read in, the Senate accedes to the request of the...of the House for a second Conference Committee. All right. Senator Geo-Karis, am I correct that...that your resolution number is 594?

SENATOR GEO-KARIS:

Yes sir, yes sir.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Geo-Karis, it's my understanding by approval of both sides, requests to suspend the rules for the immediate...to...to suspend the rules for the...

SENATOR GEO-KARIS:

Immediate consideration. Yeah.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator...Senator Geo-Karis moves to discharge the Committee on Executive from further consideration of Senate Resolution 594. Those in favor of suspension of the rules indicate by saying Aye. Opposed Nay. The Ayes have it. All right. The Senate...resolution now reposes before us, Senate Resolution 594. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies...and...Gentlemen of the Senate, Senate Resolution 594 simply says that the air line companies at O'Hare should be notified that they should have a better system of...luggage retrieval because there's been a lot of luggage lost and stolen and that's all it says. And I would appreciate a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There's no expenditure funds.

SENATOR GEO-KARIS:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 594. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Geo-Karis now moves the adoption of Senate Resolution 594. Discussion?

SENATOR GEO-KARIS:

Move...move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Your light's on, I thought maybe you want...those in favor of the resolution indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 594 is adopted. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Mr. President, I ask leave of the Body to be added as a hyphenated sponsor of Senate Bill 1556.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the request of Senator O'Daniel to be added as a hyphenated cosponsor of Senate Bill...1556. Is leave granted? Leave is granted. So ordered. All right. He've had a request from Senator Smith. On your Regular Calendar, page 7...your Regular Calendar on page 7, Secretary's Desk Concurrence, Senate Joint Resolution 59. Page 7. It's my

understanding that it's just simply changing some dates and I thought we could expedite the proceedings of...apparently there are...are no objections. All right. With leave of the Body, on page 7, Senate Joint Resolution 59, Mr. Secretary.
ACTING SECRETARY: (MR. HARRY)

Senate Joint Resolution 59 offered by Senator Smith and Rock.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is merely a concurrence with the House just to extend the deadline of the final written report for the Joint Committee on Welfare Reform from 12/31/87 to 12/31/88. And I ask for your favorable adoption.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion?

SENATOR SMITH:

...to this.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. All right. The question is, shall the Senate concur with House Amendment 1 to Senate Joint Resolution 59. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Joint Resolution 59 and the resolution having received the required constitutional majority is declared passed. The Senate will just stand at ease for...momentarily. All right. To the members of the Senate who are either here or within the sound of my voice, it's our understanding that all of the paper work is being processed and being typed and it'll take about an hour for that to...to

*SB H8A
conf. comm. Rept.*

be accomplished. So the President has suggested that the Senate just simply stand in Recess for an hour, so we'll...we'll stand in Recess until the hour of two-thirty...two-thirty. Senator Vadalabene, for what purpose do you arise? Senator Vadalabene.

SENATOR VADALABENE:

Yes, to the members of the Senate, I have the Veteran Day speeches. I can't see on my...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR VADALABENE:

They're going like hot cakes and I wish you'd come and get them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Senate will stand in Recess till the hour of two-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The hour of three having arrived, the Senate will come to order. We have distributed Supplemental Calendars No. 3 and 4 which will shortly be followed by 5 and 6. Leave of the Body, we'll move to Supplemental Calendar No. 3. On the Order of Conference Committee Reports, there's a Conference Committee Report with respect to Senate Bill 484, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 484.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of

the Senate. Conference bill...Senate Bill 484 represents a ten-month effort by the business, labor and government people in this state to negotiate a new Unemployment Insurance System which would represent the most comprehensive reform measures since the establishment of the State's Unemployment Insurance System in 1937. I'll just briefly go over some of the major points and then if there are any questions or any discussion, we'd be happy to go back and examine those in more detail. But I think most of the members have been given analyse in the bill itself for some time now, so you've probably had time to digest that. The five-year agreement will save employers five hundred and thirty million dollars in unemployment insurance taxes in the agreement's first year while keeping the trust fund at adequate solvency levels for the duration of the agreement. Unemployed workers will receive a twelve percent benefit increase over the first three-year period. Labor and business have agreed to accept benefit cuts and tax increases if an economic downturn creates pressure upon the fund. A two million dollar Legal Assistance Fund will be established for claimants and small employers paid for through penalty in fines for late tax payments. A new...a new charging mechanism created by employers will now more equitably assess charges to employers. A new state experience factor designed by the employers will react much quicker to controlling the size of the Unemployment Trust Fund to prevent the fund from falling to dangerously low levels or rising unduly. While business and labor in Illinois have suffered through years of frozen benefits and high taxes to pay off the Federal debt that at one time reached an enormous 2.5 billion dollars, we think this is a reasonable, balanced and fair approach to ensure that the trust...trust fund remains solvent. Neither of the sides that came to these negotiations got everything they wanted and, yet, that's why the process has worked so well. All of

the major labor leaders and business leaders participated along with the Governor's staff, representatives from this Body, Senator Hudson and myself, and Representative Pike...McPike representing the House in coming to this agreement. And we think it's equitable, we think it's fair, reasonable and we'd just appreciate an affirmative vote on...on the bill.

PRESIDENT:

Any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill that we felt we was going to have to labor over, and, thank God, we do have an agreement. I do just have a short little...statement I'd like to read. And that is that both sides have participated in a lengthy and difficult set of negotiations. Significant progress was made toward an agreement other than the lockout issue. In the interest of keeping the Unemployment Insurance System solvent, they have agreed on a partial solution on to the lockout issue as part of the overall agreement. Future legislative assemblies are not bound by action of previous assemblies and this agreement does not do that either. The agreement provides for untested formulas for the adjustment of benefits and other provisions may require revision. At any time during the five-year agreement...introduction of legislation to further address unemployment issues as pertaining to lockout may occur. With this understanding, labor and a particular UAW is united in the passage of the package and would urge its support.

PRESIDENT:

Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Yes, Mr. President, if I may interject something before we go on. I would like to add as hyphenated cosponsors,

Senator Rock, Senator Hudson and Senator Philip in that order, please.

PRESIDENT:

All right. With leave of the Body, Senators Philip and myself and Senator Hudson will be added as cosponsors. Without objection, leave is granted. Further discussion? Senator Hudson.

END OF REEL

REEL 83

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I think that I will precede the comments I had intended to make by simply stating and reminding the Body, and I believe that Senator Poshard would agree with me on this, that the agreement that has been entered into is a five-year agreement and parties have signed off, both business and labor, and my understanding is that there will be no...no changes. Is that correct, Senator Poshard? No...no changes will be made in this five-year period. We're talking about an agreement made for five years.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

It's the understanding of all of the parties, Senator Hudson, in my judgment, that no changes would be made outside of the agreed bill process which is inherent with...with the system itself.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

(Machine cutoff)...the lock-out provision, that is the understanding. Thank you. Mr. President, Ladies and Gentlemen of the House, to the...to the bill itself...of the Senate...I'm sorry. Basically, we have...what we have before us is a...a most...comprehensive change to unemployment...the Unemployment Insurance Act since 1937 and, therefore, I think we can regard this as a...a monumental bill and a historical

one. It is the product, as you know, of extensive negotiations that have been going on for more than a year and business has been and is united in the agreement; and I believe, and Senator Poshard, I think, would go along with me, that all parties involved in these negotiations should be congratulated upon their persistence and their tireless effort to reach this agreement, and I think it should be noted that when we started out some of the parties thought they couldn't even talk about the lock-out provision and so forth and so on and other things, but they did and each party gave a little bit, and finally came, as far as lockout is concerned, for example, to language that both labor and...labor people and business can agree to and I think that in itself is a tremendous step forward and that, in a sense, helped pave the way for other agreements that were...that were entered into, including those that involved the Unemployment Insurance Fund which presumably now we can pay off the existing debt and free that fund up so that it's in a healthy shape, will redound to the benefit of all concerned. Senator Poshard, I think, has very clearly outlined the...the other benefits, other provisions of the bill and I certainly would concur with him that it is a tremendous step forward and would urge the consideration and urge the passage of this bill...urge that to my colleagues here in the Senate.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and...members of the Senate. I rise also in support of this Conference Committee, but I have some problems with what my colleague said, Senator Hudson, on the other side, because it is my understanding that the formula used for making...certain benefit adjustments and provisions is an untested formula, and I must also say that, Senator Hudson, that it has taken more than a year.

When I was chairman of the...this committee, I think we worked on it for almost two years and...and I...I commend the...the...the committee and...and those persons who have been a part of the agreed process. I also commend the new chairman of...of Labor and Commerce and all of the staff for all of the work that they've done in making this what I consider to be a...a good piece of legislation. However, we're talking about...and I...and I would like some...some quietness here. I think that when we can allow any group...that we should not allow any group to make decisions that there will be no laws regardless to what happened in between to change, to...to improve to make something better if the situation warrant us making some kind of adjustments, and I...and that's what you said, Senator Hudson, and I disagree with that. I think that is the responsibility of the Legislature so that if we find that if something in here is not working, that it is going to be detrimental to the people of this state, and most certainly we worked very hard for a long time to pay off our Federal debts and to give increases to the people who are...are drawing unemployment compensation. If it does not work, it is our responsibility at any time to come back. It is most certainly the intent of my vote that we could come back and make whatever necessary adjustments. At this time, I would support that legislation with that being a clear understanding that it is our responsibility alone and not anyone who is a part of an agreed process that...that is not elected to serve in this Body.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Poshard, I agree with the bill and I signed on...on the Conference Committee Report. There's one question, and I'm really relying on our staff analysis, it may...it may have been covered in the bill, but how can you have a lockout when you don't have a collective bargaining agreement?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it pertains to a certain situation that occurred in my district. It was termed a lockout on something that occurred after the collective agreement...collective bargaining agreement expired, and I'm just wondering how you can have a lockout when there is no agreement?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator DeAngelis, are we talking about...a union which...under which the contract has already expired? Okay. In that case, they can continue to...to negotiate under the same terms and conditions after the lockout has occurred.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't think a lockout has occurred, that's my argument, but let me go further because I may have confused you with that question. What I am concerned about is this, if I am reading this correctly, if a collective bargaining agreement expires, the union is still in there; if their employer does not negotiate after the period of expiration, then it's going to be perceived as a lockout.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

The lockout has to occur first. Then, you go to the tests that are inherent in this legislation to determine what constitutes a lockout. The lockout has to occur first.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm not going to prolong the issue, but the question that I want to ask, are the same conditions that require good faith collective bargaining applicable to both the employer and the union? In other words, can only the...the employer be responsible for a lockout when, in reality, the union may choose not to come to the bargaining table?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator...Senator DeAngelis, the obvious answer is, has...has been explained, that if the union doesn't come to the negotiations, then there are, obviously, no benefits.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

All right,...just to clear it up, last statement. What you're suggesting is that if the union chooses to extend the negotiations, the employer is compelled to do so else it would be termed a lockout; however, if the union doesn't want to, the only penalty, basically, is they're not eligible for unemployment.

PRESIDENT:

That, I take, was a statement.

SENATOR DeANGELIS:

Well, it's...it's...I really want an answer.

PRESIDENT:

All right, Senator Poshard.

SENATOR POSHARD:

That's correct. If they choose not to come to the...to the negotiations, that's true.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I apologize, I may not have heard this in the initial remarks, but I would like, for the record, what is the position of the AFL-CIO, the State Chamber of Commerce, the Illinois Manufacturer's Association, the various other groups that were in negotiation? What is their exact position either for or against this legislation?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Schaffer, all of those people support this legislation.

PRESIDENT:

Further discussion? Further discussion? Senator Poshard may close.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, as has been indicated earlier, all of the different organizations, both labor and business, that worked on this have agreed one hundred percent on the unemployment insurance part of it. There are still a few disagreements in regards to the lock-out legislation among a couple of the labor people, but in general, ninety percent of it is agreed upon. We think it's a good package. A lot of hard work has been put into it. I want to just ask for your favorable support for the legislation, and one thing I would like to clarify is that with the passage of this bill, this will enable the Governor to pay off our outstanding indebtedness to the Federal Unemployment Insurance Fund, which I know a lot of us have

received letters on in our district offices from various business concerns. So, passing this bill will enable him to do that, and I would appreciate a favorable response; but before that, I would like to thank Dave Gross and Steve Mathis, our staff people...our respective staff people, who tracked this legislation, who researched it, analyzed it, kept Senator Hudson and I honest on it, and we really appreciate the work that both of those...people have done. It was a tremendous job.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 484. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 484 and the bill having received the required constitutional majority is declared passed. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, could I have it a little quiet, please?

PRESIDENT:

Yes, sir. May I ask the staff to take the conferences off the Floor. Senator Vadalabene.

SENATOR VADALABENE:

Yes, there'll be a Democratic...Caucus in Room 212 immediately.

PRESIDENT:

That request is in order. The Senate will stand in Recess until four o'clock. Caucus immediately in 212. Senator Geo-Karis

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate,

there will be a Republican Caucus immediately...thereafter in Senator Philip's Office.

PRESIDENT:

Republican Caucus immediately in Senator Philip's Office.
Senate will stand in Recess.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. Senator Weaver, for what purpose do you arise, sir?

SENATOR WEAVER:

Thank you, Mr. President. I was just inquiring of the Chair if...on a motion to adjourn is in order.

PRESIDENT:

Well, it certainly will be at some point. Some of the members have indicated that they, in fact,...on Supplemental Calendars No. 4, 5 and 6, there are some matters that members have wished...have indicated to the Chair that they wish to address. The Conference Committee Report that is...comprises the supplemental appropriation is, I am told, will be shortly completed and circulated for signatures. So, we're a good hour away from that motion at least. Supplemental Calendar No. 7 has also now been...or will now be distributed. I understand that the House is still in caucus and the...so we will proceed with these supplementals as long as they keep coming. Supplemental Calendar No. 4, Conference Committee Report on Senate Bill 943, Madam Secretary.

SECRETARY:

Second Conference Committee Report on Senate Bill 943.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. Conference Committee Report on Senate Bill 943 incorporates a

AB943
2nd conf. comm. Rept.

rewrite of the Nurse Practice Act and also the Physician's...Assistant's Act. On the Nurse Practice Act, as many of you recall, there was much debate on that issue. The coalition of persons involved, the Illinois Organization for the Advancement of Associate Degree Nursing, Illinois Hospital Association, the Coalition for the Preservation of the Nurse Practice Act, Chicago Black Nurses Association, Illinois Nurses Association, the Illinois Community College Trustees Association, as well as the Department of R and E worked over the summer and...and many months this fall to...to put together the rewrite of the Nurse Practice Act which sunsets on December 31st. Also it amends the Barber and Cosmetology Act to allow certain persons to register within a forty-five-day period. It amends the Vehicle Code to reduce to a nonreportable offense for a...or a nonmoving violation for failure of a truck to keep his tarpaulin on certain loads. It removes the statutory obligation on court reporters to say on transcripts to parties in trial and it extends the life of the Task Force of Long-term Care Insurance from 12-31-87 to 12-31-88, and it...it expands the State Board of Plumbing Examiners from seven to nine. Also, it makes various changes in the private alarm...Private Detective and Private...Security Act. It expands that Act by two for a private detectives wherein one public member and another licensed member can become a member of that board. It...it...it permits Amway personnel to sell burglar alarm devices and these devices are the ones that are installed by the person themselves, does not require a contractor to have it installed, the same type that are sold on the retail market in the stores; and I'll answer any questions anyone has as it relates to this bill.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, the key part of this bill, of course, is the...the bill...it resulted from the negotiation sessions between the coalition for the preservation of the current Nurse Practice Act, comprised of the Illinois Organization for the...Advancement of Associate Degree Nursing, associate degree nursing council directors, council directors of hospital schools of nursing, licensed practical nursing...Nurses Association of Illinois and Chicago Chapter of Black Nurse Association and the Illinois Nurses Association and the Department of Registration...Education and...and Education; and I might tell you that this has been a good compromise in the nursing bill, and I certainly rise in favor and support this bill and I want to congratulate all the organizations that finally worked together with the sponsors of this bill to come with a...to an equitable solution on the Nursing Act.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yes, thank you, Mr. President. Senator Jones, I know you've worked real hard on this and I don't think you're responsible for the part that I'm going to question, but I cannot let this Conference Committee Report go through unnoticed because there's an alarming part in here, if you'll pardon the pun, that I find great issue with. First of all, if I am not mistaken, in this Conference Committee Report, there is House Bill 275 which failed to pass both Houses included in this bill. Is that correct?

PRESIDENT:

Senator Jones.

SENATOR JONES:

I don't know why you...you say it's failed to...pass both Houses or not, that's not the criteria for which it is included in the bill. House Bill 275 was introduced and we

sat down and negotiated with all parties concerned to see if we could come to a reasonable conclusion to the differences that they may have.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I am...I've been informed...just a second, Senator Jones, that the House sponsor of that agreed not to move that bill for two years, and here, all of a sudden, unless there was a lapse of memory or time's really flying, we found it here in this Conference Committee Report; and I'd like to point out for the members of the Body, what that bill does is it permits an unlicensed person to sell a burglar alarm system, and if we're going to make an exception for one person, which is Amway, a corporation, allow them to come into your house, allow them to go through your entire house, allow them to sell you a system and not be licensed when the rest of the world has to be...are we going to let Avon do this too, by the way, and then...from what I understand also, there is a significant turnover in the personnel that Amway employs because they're independent contractors and they turn over rather quickly, and I just want to tell you that I am most concerned and I would like to put the Body on notice that come next spring, I would like to have some indication and perhaps we can work over this difference.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. I rise in strong support of this bill. The provisions in this bill regarding certification of the nurses in particular go a long way to solving the problems that we have in the rural medical care service delivery systems in our end of the state, so I...I appreciate the bill and I rise in support of it. Thank you.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. I, too, rise in support of this Conference Committee Report. This matter has been kicking back and forth between the two Houses for a long time. Senator Jones and a lot of other members have worked diligently on it. It's time to...to enact this matter into law and I strongly support it.

PRESIDENT:

Further discussion? Any further discussion? Senator Jones, you wish to close?

SENATOR JONES:

Yeah, thank you, Mr. President. I just ask for a favorable vote, and in response to Senator DeAngelis, we will work together next spring, if there are problems as it relate to the Act...concerning burglar alarms, and I ask for an Aye vote on this bill.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 943. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays,...on that question, there are 56 Ayes, no Nays, none voting Present. The Conference...Senate does adopt the Conference Committee Report on Senate Bill 943 and the bill having received the required constitutional majority is declared passed. On the Order of Supplemental No. 4, on the Order of Conference Committee Reports, there's a report with respect to Senate Bill 1322, Madam Secretary.

SECRETARY:

Second Conference Committee Report on Senate Bill 1322.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Supplemental Calendar is incorrect under the description for Senate Bill 1322. The Second Conference Committee Report which was just recently adopted by the House was...struck everything after the enacting clause and...amends the Illinois Marriage and Dissolution of Marriage Act to...to make the time frames for laboratory tests needed to obtain a marriage license consistent with each other, and also in the Nursing Home Act, it will provide the Department of Public...the administration and department with more ease of inspectional and paper work workload and renewal of the nursing home licenses would be more evenly distributed throughout the year rather than all at one final portion. I'd urge your favorable consideration of this.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1322. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate does adopt the Conference Committee Report on Senate Bill 1322 and the bill having received the required constitutional majority is declared passed. 1038, Senator Poshard. Conference Committee Report on House Bill 1038, Madam Secretary.

SECRETARY:

...Second Conference Committee Report on House Bill 1038.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, the only

difference between Conference Committee Report No. 1 and Conference Committee Report No. 2 in this particular bill is that No. 2 allows all of the townships in the state to levy a one percent property tax through a front-door referendum to provide facilities or services to certain mentally retarded and developmentally disabled persons who are residents of those townships. Now, under Conference Committee Report No. 1 that only applied to the county of Cook County, and under Conference Committee Report No. 2 it would apply to all other townships in the state. This just passed the House by a vote of 115 to nothing and...I would ask for your support.

PRESIDENT:

Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1038. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 2 Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1038 and the bill having received the required constitutional majority is declared passed. Senator Holmberg, 1923. Senator Donahue, 2852. On the Order of Supplemental Calendar No. 4 is House...Conference Committee Report on House Bill 2852, Madam Secretary.

SECRETARY:

Second Conference Committee Report on House Bill 2852.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Conference Committee No. 2852 increases the voting members for the alzheimer task force from twenty-one to twenty-three, giving both parties each a new member. And it also allows for municipalities to own and operate a nursing home. This is...allows municipalities the

same provisions that townships and counties have. And I have an area in my district most specifically that this would help and I think a couple of other legislators have the same thing. The controversial part of this bill has been removed, so I would move for its adoption.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

If I may ask a question of the sponsor.

PRESIDENT:

Indicates she will yield, Senator Topinka.

SENATOR TOPINKA:

When the municipality would own a nursing home, how would that nursing home be regulated then, under the Nursing Home Reform Act or under hospital licensure?

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

It's a...if it's a single entity, it's my understanding it's by itself under the Nursing Home Act.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

And if it is not?

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

There...I don't know of any instance that a municipality would own a hospital based nursing home. I mean, it's an in and of itself a separate entity, a separate institution.

PRESIDENT:

Discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2852. Those in favor will vote Aye. Opposed vote

*HB 998
2nd Conf. Comm. Rept.*

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 5 Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 2852 and the bill having received the required constitutional majority is declared passed. Senator Holmberg on 1923, Conference Committee Report, Supplemental Calendar No. 4. Madam Secretary, on House Bill 1923.

SECRETARY:

Second Conference Committee Report on House Bill 1923.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Conference Committee...House Bill 1923 returns the bill to the form it was in when it passed the Senate 59 to nothing. It basically is designed to protect local governments from unscrupulous CPA's and is endorsed by the CPA society and I advocate its passage.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1923. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1923 and the bill having received the required constitutional majority is declared passed. Senator Geo-Karis, are you ready on Supplemental 5, 998? All right, with leave of the Body, we'll move to the next order, Supplemental Calendar No. 5, Conference Committee Report, Madam Secretary, on House Bill 998.

SECRETARY:

Second Conference Committee Report on House Bill 998.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this is a second conference report and this is a bill that prohibits construction within the hundred-year floodway in the...five-county areas. It excludes Cook County. It authorizes a creation of storm water management committees in the five collar counties consisting of an equal number of representatives in the counties and municipalities. It...authorizes the...tax but all...it's subject to front-door referendum. All...any tax that might be levied has to be...is subjected to a front-door referendum. If there's any questions...if not, I ask for a favorable passage.

PRESIDENT:

Discussion? Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I find it difficult to...to have to stand and...and oppose this Conference Committee Report, but...but there is some language in it that...that affects a portion of my district and...and I don't know exactly why the language was...was put in there, nonetheless, it does...it does pose a...I think, a restriction upon a portion of my district and certainly a portion of Senator Madigan's district and thought that perhaps the language should have come out, it didn't and so I would have to stand in opposition to...

PRESIDENT:

Discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 998. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that

question, there are 41 Ayes, 9 Nays, 5 voting Present. Senate does adopt the Conference Committee Report on House Bill 998 and the bill having received the required constitutional majority is declared passed. Senator Marovitz, we're on Supplemental 6. Ladies and gentlemen, if you'll turn your attention to Supplemental Calendar No. 6. Madam Secretary, on the Order of Conference Committee Reports, there's a report with respect to House Bill 99.

SECRETARY:

Second Conference Committee Report on House Bill 99.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...hello, yes, thank you, very much, Mr. President and members of the Senate. I would move that the Senate adopt Conference Committee Report No. 2 to House Bill 99. The bill does several things. It makes the establishment of up to five multidisciplinary child abuse and neglect teams permissive rather than mandatory. It clarifies the provisions in the bill concerning treatment for child abuse and neglect perpetrator who is a substance and alcohol abuser. Gotten a lot of calls and you may have gotten calls on this issue. This would...this would require...in foster homes, DCFS to investigate for abuse...substance and alcohol abuse and refer those abusers to treatment. There was an earlier version moving around that had taken that provision out. All of the welfare agencies around the state were very concerned about that. That provision is in the bill requiring investigation of substance and alcohol abusers and referral to treatment. One of the important provisions in the bill deals with pertaining to the delay of the effective date for the speedy...trial provision of the Juvenile Court Act in relation to abused or neglected children, and we have delayed that, we've delayed that six months and while there was some

concern about the delay, I will read into the record a letter from State's Attorney Dailey regarding this delay, and he has said and I quote, "That with your joint support of this proposal, you have my assurance that I will support neither further delays in the effective date of this Act beyond July 1, 1988 nor any effort that would seek to undermine the intention of expeditious abuse of neglect hearings reflected in this new law. Recent meetings among the parties involved in this important area can only benefit our juvenile justice system in Cook County. To that end, I have directed my staff to continue to work with groups to resolve any differences of opinion and to seek additional ways to further our common aims of improving our law in this important area and assuring the expeditious process of abuse and neglect cases. I look forward to working with you in the future to build on your efforts to improve the handling of abuse and neglect cases, including," this is important, "increased staffing and compensation so that experienced assistance can continue to represent the...people of Cook County in public service." This bill is supported by Illinois Action for Children, the Cook County Public Guardian's Office, the Legal Assistance Foundation, the State's Attorney's Office, Citizens Committee on Juvenile Court, and I solicit your Aye vote.

PRESIDENT:

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, a question regarding the provision about...potential substance abusers among foster parents. Would you explain what that provision is? It's not mandatory

drug tests, is it, for all foster parents or anything like that?

PRESIDENT:

Senator...Senator Harovitz.

SENATOR HAROVITZ:

Nothing like that. There is no mandatory, but once...once they are then informed of a...of a potential or suspicious or probable cause that there may be substance or alcohol abuse, they would then have to investigate that and if they find it, refer that foster family for treatment.

PRESIDENT:

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 99. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 99 and the bill having received the required constitutional majority is declared passed. 1055. Madam Secretary, Supplemental Calendar No. 6, Conference Committee Report on House Bill 1055.

SECRETARY:

Second Conference Committee Report on House Bill 1055.

PRESIDENT:

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President and members of the Senate. I seek leave of the Body to present House Bill 1055 as a co-sponsor for Senator Netsch.

PRESIDENT:

Without objection, leave is granted. Senator, proceed.

SENATOR del VALLE:

Thank you, Mr. President. I move that the Senate adopt

the Second Conference Committee Report on House Bill 1055. House Bill...this report includes only the amendment of the Field Sanitation Act which requires farm operations to provide sanitation and portable water facilities whenever ten or more workers are employed regardless of the amount of time and authorizes the Department of Public Health to conduct on-site compliance inspections.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1055. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 36 Ayes, 12 Nays, 8 voting Present. The Senate does adopt the Conference Committee Report on House Bill 1055 and the bill having received the required constitutional majority is declared passed. 2748, Supplemental No. 7. Senator Berman, are you handling that for Senator Hall? If I can turn your attention, ladies and gentlemen, to the Supplemental Calendar No. 7. There is a Conference Committee Report on House Bill 2748, Madam Secretary.

SECRETARY:

Second Conference Committee Report on House Bill 2748.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Sorry. Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill does two things, one of which I am honestly not familiar with and that was the part that Senator Hall had shepherded through. The second part, which I am familiar with, is a provision that will allow the assessment of a filing fee of...of five dollars on all civil pleadings. The purpose of this filing

fee is to fund the arbitration system that was authorized by this General Assembly for cases of fifteen thousand dollars or less in both Winnebago and Cook Counties. Last year they...the Supreme Court came in with a four million dollar request; because of the fiscal situation, we only funded, I believe it was, five hundred thousand dollars which allowed Winnebago County to set up their arbitration system. This will permit through the assessment of the filing fees in those two counties for the lawsuits to fund the process of the arbitration system. Senator Hall is back and he could address the other portions of the bill besides the arbitration funding.

PRESIDENT:

Senator Hall. Senator Hall.

SENATOR HALL:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Berman has exactly explained everything here and all that I want to say that...is that I feel that this is needed legislation and I'd ask your most favorable support of the bill.

PRESIDENT:

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I was wondering if Senator Hall would yield to a question.

PRESIDENT:

Indicates he'll yield, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you. Senator Berman mentioned the fact that the first portion of the Conference Committee Report was shepherded by Senator Hall, but he did not explain to the Body what was actually shepherded. So, I'd like to know exact...what the first portion of the Conference Committee Report contains.

PRESIDENT:

Senator Hall.

SENATOR HALL:

I'd be happy to do that, Senator. It leaves the original bill in tack; that is, it allows county boards by ordinance to increase certain fees of the recording county clerks if justified by a cost study showing that the statutory fees are not sufficient to cover the cost of providing the service. The Senate receded from SA 1 which requires the Department of Commerce and Community Affairs to approve cost studies prepared by the...fees being set by the above statutory limitation. It adds language permitting the clerks of the circuit courts only in counties utilizing mandatory arbitration to collect a five dollar arbitration fee at the time of the filing the first pleading. I'd ask your most favorable support of this.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Now my question is to Senator Berman. The five dollar fee that you're talking about for the arbitrators, does that go into a special fund and what's the purpose of the fund?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

This is earmarked for...for...it's a fund that will be regulated by the Supreme Court. It is the sole purpose and limited purpose is to pay the cost of this new arbitration system which is patterned...after one that was in Philadelphia to cut down the backlog in cases down to about eight months from multiple years.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in opposition to the section of the bill dealing with filing fees in arbitration...as...approved by the Supreme Court. Winnebago County has an arbitration pilot program in existence right now and without any fee attached. If we were to do what this bill says, we would start paying an arbitration fee of five dollars at the time of filing of the first pleading paper or other appearance filed by each party in all civil cases, and it looks to me like it would go to Cook County. I don't think that's what we want to do.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

A question for the sponsor...or at least for Senator Berman.

PRESIDENT:

Indeed. He indicates he'll yield.

SENATOR BARKHAUSEN:

Senator Berman, if you could refresh my recollection, when we were dealing with this or similar legislation in the committee, was the filing fee...additional charge we were talking about then, was it five dollars or some other amount?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you. If you recall the discussion, we didn't pinpoint as to whether the filing fee...one of the things that was suggested would be a statewide filing fee. That's not in this bill. It is only an assessment in the two counties which utilize the arbitration system and the five dollars was...calculated based upon case filings in those two counties sufficient to sustain the arbitration system in those two counties, that's how the Supreme Court calculated

the five dollars.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

In the original legislation though, did we start with a lower fee...weren't we talking about one dollar at one point?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

There was...I don't...we discussed a fee but we didn't peg a number because depending upon how broad it would be would determine how much the fee would have been. At no time did we have a authorization for a assessment when we had the arbitration authorization bill. That was raised in committee, there was no...see we had...appropriation for general revenue funds. My...my seatmate is...is talking...is concerned because we were able to fund Winnebago, we weren't able to fund Cook. Now this bill is going to allow both counties that benefit from this arbitration system to pay their own way.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

It...I don't mean to prolong this, but has any thought been given to the possibility that the imposition of this fee might like the...the fee that was...that was charged and was...invalidated on constitutional grounds that we imposed for funding domestic violence programs, that it might...because it's not directly related to the handling of the arbitration case itself, that it might be deemed an unconstitutional impairment of access to the courts?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

There's a substantial difference. First of all, this was researched by the court that's going to pass on it and that's the Supreme Court. Number two is that this is directly related to the operation of the court system in the counties in which the fee is being assessed and I don't see how much more direct you can get than...than this. The...the...victim abuse problem the court determined was too indirect. This is exactly...concerned with the operations of the courts.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

One...one more quick question. Does the experience of other programs of this kind, particularly the one in Philadelphia, do...do they impose a fee on...on all case filings in that jurisdiction to fund a similar program or is...do you know whether the...the fee is imposed only on those who seek to avail themselves of arbitration?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

It is not the latter, but I...I'm...in other words, it's...you don't just pay if you're going to be in arbitration because they have a trial de novo system as this one would be so that everybody pays. As to whether it extends to cases over the limit; in other words, if it's a hundred thousand dollar case and only twenty thousand dollar cases go to arbitration in Philadelphia, does the hundred thousand dollar case include a fee? I...I don't remember the answer, I'm sorry.

PRESIDENT:

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2748. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. The...Senate does adopt the Conference Committee Report on House Bill 2748 and the bill having received the required constitutional majority is declared passed. Senator Dunn. Madam Secretary, on Supplemental No. 7 there's a Conference Committee Report on House Bill 2797.

SECRETARY:

Second Conference Committee Report on House Bill 2797.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President and members of the Senate. Report No. 2 on House Bill 2797 adds an effective...immediate effective date. Also adds language to clarify that the transfer from the General Revenue Fund to various funds have been shorted because of a reduction in the parimutuel tax. This is a...a bill that effectively puts a charge on oil wells and...and it...needed effective date. I'll be glad to answer any questions.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2797. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 2797 and the bill having received the required constitutional majority is declared passed. Ladies and gentlemen, if I can have your attention, there have been a couple of requests to get back to the original Calendar, if everybody has their Senate Calendar. Senators Mahar and Jacobs have requested that we go to the Order of Concurrence

for Senate Bill 714. Senator Margaret Smith, the top of page 7, has Senate Joint Resolution 59 with a House amendment. Has that been done already? Okay. So, I guess the only one we're left with is 714. Is that right, Senator Mahar? Senator Mahar. With leave of the Body, we'll move then to page 6 on the Calendar. Madam Secretary, on the Order of Secretary's Desk Concurrence...Senator Mahar, for what purpose do you arise, sir?

SENATOR MAHAR:

Thank you, Mr. President. I would seek leave of the Body to have myself removed as the chief sponsor of this bill and have Senator Jacobs be the chief sponsor.

PRESIDENT:

All right, the gentleman seeks leave to substitute Senator Jacobs as the chief sponsor of Senate Bill 714. Without objection, leave is granted. Madam Secretary, on the Order of Secretary's Desk Concurrence, Senate Bill 714.

SECRETARY:

Senate Bill 714 with House Amendments 1 and 2.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill...714 has two amendments. Amendment No. 1 which really is...becomes the bill takes an existing civic center authority and adds the county to it. It is not a new civic center authority. It is strictly a...a expansion at the request of the county people and I would like to concur in...in House Amendment 1 and then...is it proper to take them both at once, Mr. President?

PRESIDENT:

It...it is, yes, sir.

SENATOR JACOBS:

And then House Amendment No. 2 deletes all of that and,

again, recreates the authority with the county and then spells out the method of appointment of the...the members on the county authority which would be one from each political persuasion, and I would like for your support and would answer any questions if necessary.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 714. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 714 and the bill having received the required constitutional majority is declared passed. Introduction of bills, Madam Secretary. Let's do some of the paper.

SECRETARY:

Senate Bill 1565 offered by Senator O'Daniel.

(Secretary reads title of bill)

Senate Bill 1566 offered by Senator Severns.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Resolutions.

SECRETARY:

Senate Resolution 690 offered by Senator Holmberg.

Senate Resolution 691 offered by Senators Keats and all members.

Senate Resolution 692 offered by Senators Kelly, Jones and Brookins.

They're all congratulatory.

PRESIDENT:

Consent Calendar. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to adopt the First Conference Committee Report on Senate Bill 1506 and request a Second Committee of Conference to consider the differences between the two Houses in regards to Amendments 1 and 3.

PRESIDENT:

All right, Senator Alexander moves that the Senate accede to the request of the House for a Second Conference Committee. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Yeah. Senator Topinka has a motion in writing she has presented to the Clerk. Senator Topinka.

SENATOR TOPINKA:

First of all, Mr. President, if I might add the names of Senator Margaret Smith and Senator Emil Jones to that resolution as well.

PRESIDENT:

All right, the lady seeks leave to add Senators Smith and Jones to...as cosponsors of Senate Resolution 681. Without objection, leave is granted. Read the motion, Madam Secretary.

SECRETARY:

I move to waive Senate Rule 6 and all of the relevant rules so that Senate Resolution 681 may be discharged from the Senate Executive Committee for the purpose of immediate consideration. Filed by Senator Topinka.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Senate Resolution 681, Ladies and Gentlemen of the Senate, would ask that a...a task force be established with

appointments that are traditionally done by the leadership of both sides of the aisle to discuss the Medicaid, HMO abuses that have been highlighted in the Chicago Sun-Times and other periodicals over the last two weeks and we would like to get at the bottom of these. The abuses are severe and we would like that authority. And Senator Geo-Karis would like to also be added to that resolution.

PRESIDENT:

All right, with leave of the Body, we'll add Senator Geo-Karis as a cosponsor to Senate Resolution 681. Senator Topinka has moved to discharge the Committee on Executive from further consideration of Senate Resolution 681 and asked that it be immediately considered. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The bill is...the resolution is discharged. To the main question, the adoption of Senate Resolution 681, Senator Topinka.

SENATOR TOPINKA:

I would just ask a favorable roll call.

PRESIDENT:

All right, the question is the adoption of Senate Resolution 681. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Resolution 681 having received the required constitutional majority is declared adopted. All right, ladies and gentlemen, just so you know where we are, the next Calendar will reflect the three bills that represent the pension proposals. They are being duplicated at this moment so that everyone will have a copy. Then there are two additional bills that have just been sent to the printer for duplication. So, we have five bills that are in the works and should be up here within twenty minutes, and

we are awaiting the circulation of the Conference Committee Report on the Supplemental Appropriation. So, my suggestion is we stand at ease for about...Senator Topinka.

SENATOR TOPINKA:

Since we are standing at ease and there is something just very important, I don't think that we should overlook. This Sunday will be Senator Jacobs' fiftieth birthday and no man should be allowed to get past that half century mark without our acknowledging it.

PRESIDENT:

We...I know he's listening and...and we acknowledged at some length last night, I can tell you. All right, why don't we just stand in Recess until six o'clock, that's the simple way to do this.

RECESS

AFTER RECESS

PRESIDENT:

Senate will come to order. I would request of the members that they come to the Floor. We have Supplemental Calendars 8 and 9 and 10. Those are bills by Senators Demuzio, Jones, D'Arco, Hall and Carroll. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, I'd like to transfer sponsorship of Senate Bill 236 to Senator Jones, please.

PRESIDENT:

All right, with leave of the Body, Senator Demuzio has requested that Senator Jones be substituted as the chief sponsor on Senate Bill 236. Without objection, leave is granted. Now we will proceed on Supplemental Calendars 8 and 9 and 10, then we'll reassess where we are. Senator Jones on Supplemental Calendar No. 8. Madam Secretary, there's a Conference Committee Report with respect to House Bill 2715, 2-7-1-5, sponsor has requested. Madam Secretary, Supple-

HB2715
Conf. Comm. Repts.

mental Calendar No. 8, Conference Committee Report on House Bill 2715, please.

SECRETARY:

First Conference Committee Report on House Bill 2712.

PRESIDENT:

No, 15.

SECRETARY:

2715, pardon me.

PRESIDENT:

Senator Jones on 2715.

SENATOR JONES:

Yeah, thank you, Mr. President. May I have leave to add Senator Marovitz and Senator D'Arco as a joint sponsor on House Bill 2715?

PRESIDENT:

Gentleman seeks leave to show Senators Marovitz and D'Arco as cosponsors on House Bill 2715. Without objection, leave is granted. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Senate Bill...2715 is the bill that deals with the Chicago municipal, Chicago labor, Chicago police, Chicago teachers, Cook County, Metropolitan Sanitary District...all their Pension Code. This bill is the bill that was worked out after many months of negotiation between the employees, the employer, as well as those...local units of government. 2715 is part of a three-bill pension package that have been worked on by members of the General Assembly through the various conferences that we have had. It makes several changes. Number one, far as the Chicago police is concerned, it...in case of a policeman receiving an annuity or dies after January 1,...1986, the widow's annuity shall be fifty percent of the officer's annuity. No maximum dollar increase. Beginning 7-1-87 all policemen born between 1-30...1-1-1930 and

1-1-1940 shall receive their automatic...annual increase of three percent, now it's 1.5, and other changes that do not require any funds whatsoever. The Chicago municipal...pension funds extend a higher retirement...benefit and a lower reduction for early retirement that is presently in effect for employees born after January 1, 1936. Far as Chicago labor...it incorporates some of the same provisions that's in the retirement systems for the municipal employees fund. On the Cook County employees, it provides for a alternate benefit...for elected officials and provides for the transfer of credit from other retirement systems the beginning...May 1st, 1987. At this time I will...and also the same provisions for the Metropolitan Sanitary District. The bill carries no state fiscal impact whatsoever. It is a bill that was worked on by many members, and at that this time, with leave, I will give you to Senator D'Arco who may want to tell you about the fiscal impact of these bills.

PRESIDENT:

Discussion? Any discussion? Senator D'Arco.

SENATOR D'ARCO:

No, we're...we'll answer any questions if need be.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. We've been following these bills as they progressed through the Senate and through the House. I simply want to point out that the Chicago package has a total increase in the unfunded liability of over two hundred million dollars with an annual cost of over twenty million dollars. City of Chicago, I understand, is raising property taxes now, but this is twenty million dollar drain in the treasury. The cost for the Cook County Board is about thirteen million dollars. Now, both the City of Chicago and the Cook County Board, as I understand it, have requested

SB 236
Conf. Comm. Repts.

these changes so, as Senator Jones pointed out, there...there is no impact under the State Mandate's Act and, therefore, we do not stand in opposition to these changes since they were requested by the city and by the county.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2715. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 6 Nays, 1 voting Present. Senate does adopt the Conference Committee Report on House Bill 2715 and the bill having received the required constitutional majority is declared passed. All right, Madam Secretary, on Supplemental Calendar No. 8, on the Order of Conference Committee Reports there's a Conference Committee on Senate Bill 1236. 2-3-6, please.

SECRETARY:

First Conference Committee Report on Senate Bill 1236.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr...Mr. President and members of the Senate. Senate Bill 236 is the bill dealing with the downstate firefighters, downstate police, Illinois Municipal Retirement Fund Article. This bill was a bill that was negotiated, as the previous bill was, by those parties concerned. The downstate firefighters, police and the Illinois Municipal...League worked very diligently over the...over the past few months in putting together this downstate package. It raises the minimum benefit for retirees and annuitants...with member of twenty years of service for downstate police and...and base pension benefits for retiree on salary on the last day of service with the average of twelve months...on

the average of twelve months, and all of these provisions in this bill...as probably in negotiated agreement, the groups involved in the three systems have agreed to a three-year moratorium on pension proposals; that is, the downstate firefighters, downstate police and Illinois Municipal League would not be back to us again for any pensions until the year 1990 and '91. It...for the downstate firefighters, an employee with at least ten years of service as a firefighter in the fire pension program who is employed full-time in a statewide firefighter union for a period not beyond eight years could remain in the pension system which the employees require a contribution paid by any employee or sponsoring union. The Illinois Municipal Retirement Funds allows...elect a...to transfer their portion of funds and the seniority now held in other funds. It changes the rate of the accrual for deputy sheriffs from 2.5 percent for each of the first twenty years, two years for twenty and up. If there is any other...further questions on the bill, we'd be more than glad to answer and I ask for a favorable vote.

PRESIDENT:

Discussion? Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think the important thing to point out to the Body is that...that this was, in fact, a negotiated settlement between representatives of the Illinois Municipal League and the police and...and fire unions. Frankly, I had some doubt about that negotiating process in that many of the cities around this state were not represented by the people who served on those committees and some of...particularly the smaller towns, the towns of thirty thousand, fifteen thousand around the state, may not know what we're doing here. I had a conversation this afternoon with Steve Sergeant, the president of the Illinois Municipal League, and with the assistant administrator of the Illinois

HB 2712
conf. comm. report.

Municipal Retirement Fund, both of whom assure me that there has been wide publication throughout the state of this agreement and these benefit increases, and here again we have system...have changes that were requested by the system. Some of the changes that we're making, frankly, I think are setting some bad precedents, but...it...it is a negotiated change and...and we're not going to oppose it.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 236. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate does adopt the Conference Committee Report on Senate Bill 236 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 8, Conference Committee Report on House Bill 2712, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 2712.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Prior to proceeding the bill, I'd like leave to add Senator Newhouse as a joint sponsor on House Bill 2715.

PRESIDENT:

Senator Newhouse...oh, I see, I beg your pardon. Gentleman seeks leave to show Senator Newhouse as a joint sponsor. Without objection, leave is granted. Senator Jones.

SENATOR JONES:

Thank you, Mr. President. House Bill 2712 deals with the State Employees, State University and Downstate Teachers and

HB 2746
C.C.R.

Judges Article of the Pension Code. It makes several changes which carry...very relatively minor fiscal impact. Downstate teachers are authorized to recover overpayment costs from felons and so forth. The pension system changes in the administrative procedures for trustees of election, no cost. State university allows the teachers to take part...take it...to have taken leave of absence in order to serve as a teacher organization to receive pension. Chicago judges, allows judges to transfer credits for certain services as a public defender, and it adds that a...the Comptroller as an ex officio member of the State Board of Investment. There are several other changes...carry little or no impact...financial impact whatsoever and ask for a favorable vote.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2712. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate does adopt the Conference Committee Report on...House Bill 2712 and the bill having received the required constitutional majority is declared passed. Supplemental No. 9. Senator D'Arco on the Floor? 652. Senator Hall on the Floor? 2746. Madam Secretary, Supplemental Calendar No. 9, there's a Conference Committee Report on House Bill 2746, please.

SECRETARY:

First Conference Committee Report on House Bill 2746.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This is the forest preserve and park district and it makes various changes. It deletes everything after the enacting clause. It permits downstate forest preserve districts to authorize annual salaries not to exceed three thousand dollars for forest preserve district commissioners. It permits downstate forest preserve districts to acquire land capable of being restored to a natural condition. The property owned by a forest preserve district shall not be subject to...eminent domain or condemnation procedures, and also that what it does is adds that a majority of all members elected, currently only appointed, is necessary in order to pass an ordinance or a proposal, and now I will yield to any...if there are any other questions that Senator Fawell is here and she can answer any questions you may have.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I would like to assure...the members that there is absolutely no...no language about golf courses, it's all been removed. It also does include two land conveyances...or three land conveyances...one is in Henry County and the parcel...it's...it's...the DOT is authorized to sell a parcel of X estate right of way to Henry County. The Department of Transportation is authorized also to convey access rights to a parcel of land in Madison County. It also authorizes the Department of Transportation to convey a parcel of access land along Interstate 74 in Peoria to the Peoria Park District for the appraised value. These are all okayed by the department and I will be glad to answer any questions if there is any.

PRESIDENT:

...discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2746. Those in favor will vote Aye. Opposed will

*SB 652
Int. Conf. Comm. Rept.*

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 2746 and the bill having received the required constitutional majority is declared passed. 652, Senator D'Arco. Madam Secretary, on Supplemental No. 9 is a Conference Committee Report on Senate Bill 652, please.

END OF REEL

REEL #4

SECRETARY:

First Conference Committee Report on Senate Bill 652.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 652 changes the effective date and residence requirements for new judgeships created by Public Act 85-0866. It also allows for the use of the Solidarity Party gubernatorial vote totals for the allocation of delegates to the National Convention, and it allows for the increase in compensation paid to judges of election in all jurisdiction...yeah, that's election judges,...that's not circuit court judges. That's about it. There are more details as to the specific amount that's allocated for the election judges, if you want to hear those figures, but I move to adopt Conference Committee Report No. 1.

PRESIDENT:

(Machine cutoff)...discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. As the minority spokesman on Elections, I stand in support of Conference Committee Report No. 1 on Senate Bill 652. In it, Conference Committee Report No. 1 contains several provisions which I find questionable especially the provisions on the circuit court judges, but more importantly there are provisions containing pay raises for election judges which I believe is long overdue. In Cook County, especially in Chicago, many election judges view their election day pay as hazardous duty pay and most work up to fifteen hours on election day for less than minimum wage and it is very important that we maintain adequate pay for

qualified election judges. While the pay raise is less than what I believe the judges deserve, it's a step in the right direction and I strongly urge the passage of the First Conference Committee Report on Senate Bill 652.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I also stand in concurrence with this Conference Committee report. If you recall, we passed a bill similar in nature at a larger amount out of the Senate earlier in this normal course of the Session, and now because of the budgetary constraints we've reduced that dollar amount but, if you recall, the entire county board, both Democrats and Republicans, asked for the support of this measure and I bring it to your attention as well.

PRESIDENT:

Discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 652. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 652 and the bill having received the required constitutional majority is declared passed...(machine cutoff)...leave of the Body, our friend, Hugh Hill, has requested permission to film the proceedings. Without...even though Senator Philip objects, leave is granted. Senator Carroll, are you ready? It is Supplemental Calendar No. 10. Ladies and gentlemen, if I can direct your attention to Supplemental Calendar No. 10. There is a Conference Committee report on House Bill 2756. Madam Secretary, please.

SECRETARY:

First Conference Committee Report on House Bill 2756.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2756 is the supplemental appropriation for the fall term of the fiscal year. I believe everybody is aware of the component parts. What the effort has been is to find a level of funding that...is within the state's ability to pay out of currently known general revenue resources, that number has been pegged at twenty-nine million three hundred twenty thousand dollars of general revenue funds available. Therefore, the supplemental appropriation allocated those funds in what was deemed by the members to be the most important areas of existing programs of State Government who had been otherwise underfunded by either action of the Governor or inaction of the General Assembly, and we've therefore tried to do that which the Senate had said before keeping within that twenty-nine million dollar general revenue funding. We've also picked up, obviously, any Federal funds that have become available to the state to make sure we capture as many dollars as possible. In highway transportation and other funds, that's a total of a hundred twenty-seven million dollars in other funds. We have taken care of the issues of day care, renal disease, alzheimer's, hemophiliacs, the statutory stipends. We have, in fact, provided sixteen million in general state aid. We have provided for special education personnel a million, two million for transportation for schools. We have provided for math and science, we have provided for the income funds of the universities based upon their tuition increases and on. I would be willing to answer any questions and would ask for a favorable roll call. We have attempted to distribute to every member a full and com-

plete list of the twenty-nine million of general revenue funds and the hundred twenty-seven million of other funds and I would ask for adoption of Conference Committee Report No. 1.

PRESIDENT:

Discussion? Is there any discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Newhouse.

SENATOR NEWHOUSE:

This is the bill substantially that we discussed earlier in the day and this is the bill that brings into Chicago something in the area of four million dollars in education funds and delivers 3.2 million dollars to the Math-Science Academy. Is that correct?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Senator Newhouse, yes. It appears as if when this bill becomes law there will be approximately 5.2 million dollars that will flow to the City of Chicago in the three lines affected and, yes, 3.2 million that will go to the Math and Science Academy.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Make no mistake, and I want no one in this Body to make any mistake, about where I am on this. I am in favor of the Math-Science Academy; I think it is a much needed institution. However, my primary responsibility is for the education of the children in the City of Chicago, and as I look at what we have before us here, we are being short-circuited in the process of attending to what I see as the most impor-

tant need in this state. I don't have to tell anybody in this room what's happening in public school education in urban areas, we all know what that's all about. I don't really have to repeat the arguments we made yesterday about what the fallout of that is, but the facts of life are that our investment procedure is upside down. We absolutely need a Math-Science Academy, we also need some youngsters who are prepared to go to the Math-Science Academy; and if we rob Peter to pay Paul, the facts of life are we're not going to succeed at either one. I would suggest to my colleagues that we reject this budget in this form. I intend to vote No and would encourage other No votes on it.

PRESIDENT:

Question? Have you concluded, Senator? Senator Newhouse.

SENATOR NEWHOUSE:

Is there response to that question?

PRESIDENT:

Oh, Senator Carroll.

SENATOR CARROLL:

It seemed very rhetorical to me, Senator Newhouse, as...as a position statement rather than a question. You and I know that I, too, favored additional funding for the Chicago public schools and that I favored it by my vote of yesterday and by my comments in caucus and on the Floor and elsewhere. You and I know however there is a finite number of dollars that have been offered to the General Assembly to spend, that number being approximately twenty-nine million of general revenue funds. It has been made crystal clear to us at least that that is the maximum that would be signed into law by the Governor and probably the maximum that would receive enough votes to pass the General Assembly however divided. You and I also know that are...there are other areas of need of State Government that do have to participate

in that funding such as day-care slots to the tune of almost three million dollars, such as personal care attendants who at the minimum wage or a dollar an hour waiting time, we have to take care of such as renal dialysis and all that. We all know those. So what this does, whether we like it or not, in toto is it says that of the twenty-nine million available, twenty-two million will be spent on education...of the twenty-nine available twenty-two is being spent on...education. I would have liked to have seen very much that a few million more come into Chicago, absolutely, but this is the effort that was made to divide up that twenty-two million dollars, and the answer is that of that, nineteen is not math and science and of that nineteen we get...we, Chicago, get about 5.2 million dollars. That seems to be the maximum that would garner enough votes to pass. Am I pleased? Of course not. I recognize the twenty-nine million figure and this is the way it has to be allocated. I think that is the best we can come home with at this time.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thanks for your answer to my rhetorical question, I do admit that it was a rhetorical question. Let me suggest to you that while I appreciate it, I...I...I firmly disagree and I would suggest to my colleagues from Chicago that if we're going to continue to swap off temporary dollars, that is, each year dollars for an education system and at the same time give up dollars for permanent improvements in other areas, that seems to me a shortsighted way of financing education; and on that basis, I would suggest No votes on this bill.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I...I thought it was very interesting yesterday to see the Governor on the Floor on the override vote for education, and I thought it was interesting after the vote, Lee Daniels congratulated the Governor on a job well done and Pate Philip congratulated the Governor on a job well done, and then Senator Maitland said sometimes he...he quoted a song, he said, "You're Riding High in April and You're Shot Down in May." But yesterday we weren't shot down in May, we were shot down in November and the Chicago school system is going to have to lay off three hundred teachers because we didn't override the Governor. Now that's important in Chicago and 4.7 million dollars that this supplemental gives for Chicago isn't going to make it, it's not enough money for us. It may be enough money for some other school systems but it's not enough for the City of Chicago, and yesterday I saw...and I'll quote you another song, the song is "I'm Going to Get by With a Little Help From My Friends," that's a Beatles song, and the Republicans yesterday got by with a little help from some Democratic friends of theirs. But that's not going to make it either and this bill has a lot of sweeteners in it for a lot of deserving people that need help, but we have to take a stand because you're hurting a school system that needs more help than any other school system in the State of Illinois and you're hurting that system wrongly. And Aldo DeAngelis said, don't worry about it, raise property taxes; you'll get the money through property taxes, all the school systems raise property taxes to fund their systems. But the state has the primary responsibility to fund education in Illinois, that's our responsibility, not the local district's responsibility. And I'll tell you, John, there's another song I'm going to quote you and that song says, "Take This Job and Shove It." Well, John, take this Conference Committee Report and you can do what you want with it.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator D'Arco, I could change some of the references to maybe higher education and take this job and shove it too but that's...I understand we have limited resources, but through the years we've tried to take care of elementary and secondary, we've tried to take care of higher education. We've tried to take care of many of the needs that are portrayed in the supplementary appropriation here on 2756, but I think we have to reflect back a little bit. We cut a hundred and thirteen million dollars out of elementary and secondary through the Governor's vetoes and we cut fifty-eight million dollars out of higher education. For those who work in elementary and secondary they have both state aid and they have property tax and most of the employees of elementary and secondary have gotten a raise through negotiations and it...it may amount to maybe four percent, but those in higher education statewide, public supported higher education are getting zero. We didn't even look at the needs of higher education, all we've looked at, and rightly so, elementary and secondary and it bothers me a bit. I don't think there's too damn many advocates for higher education in the State of Illinois in this Senate Floor and certainly down...not many advocates on the House Floor, but I just want you to understand, it's important to every one of you sitting here in this Chamber. You have students, constituents who are dependent on higher education in every institution in the State of Illinois supported by our appropriations that depend on Chicago State, Governor's State, Northern, Eastern, Western, Southern, the University of Illinois, the medical colleges and we've just forgotten them and it kind of grieves me. I'm not sure that I can support this. Thank you, Mr. President.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I don't know really what to say about what is happening here with this Conference Committee Report. I believe that there is, in fact, some legitimate concerns about the state of the state's financial affairs, but I know that each of us here recognize that we have the responsibility and the authority to...to...to do whatever it is necessary to raise the necessary revenues to respond to critical needs of the citizens of the state. And the problems that we are experiencing is not a Chicago problem and let me just make that very, very clear, and if you think that, then you are absolutely wrong and clearly mistaken. When I left to come down to this Veto Session, I knew that the possibilities was very slim that we would, in fact, go back home with the sixty-four million dollars unless there was some kind of revenue enhances. But I really still had some hope that with the leadership of this state and with all of you here that we could, in fact, recognize when there was a clear danger or something that was threatening to the growth and vitality and to the welfare of this state, that we would then, putting our elections and our politics aside, make the responsible decision to come up with some kind of tax increase or revenue enhances to respond to the critical need. None of us here...no one here, I believe, who would say that, yes, there are serious problems in education and, yes, that the school system in the City of Chicago will probably close down if we do not give some money to that system, notwithstanding the reforms those children back there had nothing to do with. If anyone is responsible, we are, for what is happening to the quality of education in that system, but they do have a right to a decent education; and if we go home with nothing, many of those schools for all

practical purposes should be closed because they won't even have enough staff for adequate supervision let alone education in those schools. And each of you here, I think, know that just as you know that...that there is a serious problem financially in the state, and so when I look at this...all of these things here on this list and we talk about what's priority and our abilities to make priorities, then, God knows, this state, we are in serious trouble with the people that...with us who represent the people in our districts, because if those persons in the City of Chicago and across this state is the knod in education, believe it or not, you're going to pay for it. And on the west side of Chicago where we only have in some of the high schools seventeen percent of the students graduating, that seventeen percent won't graduate this year and they will be out on the streets and your families and my families will pay the price. So either we are going to live up to our responsibilities and come up with some kind of revenue so that we can respond to the education crisis and the day-care crisis or we are going to live to regret this day. Now we may think we are preserved in some great right to be elected but I think the citizens of this state is smart enough now to say, you didn't live up to your responsibilities and your jobs and we won't vote for you in the upcoming elections, and I hope that's what they...the message that they send to all of you who are not willing to support an income tax increase. I'm going to vote for this bill because there's day care in it and because of two and a half million dollars here for day care will, in fact, help some of those child-parent centers and day-care centers in my district so that those people will not be then laid off of their jobs and put back on the welfare roll, but I'm forced to vote for nothing really for education because that's what it is all about. I'm voting for day care because I have that commitment and, therefore, I will support this bill.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank...thank you, Mr. President and members of the Senate. I, along with Senator Weaver, have some deep concerns, not...not only about higher education but also about mental health and community mental health programs; and to me, it's an embarrassment for this General Assembly to pass a bill and leave out three of the most important areas of responsibility and it signals a message, and when you walk away from higher education and mental health, especially when you've got...we've got the reputation we have, I'm embarrassed. We know these aren't very many dollars we're talking...I mean, it's a lot of dollars but in percentages it just isn't that much but we should never leave out these categories and I...this will come back to haunt us. I'm going to support it but I am not going to feel very good about it, but you want to know something, I want to add this one little point. I supported the override yesterday for that sixty-two million which would have given the Chicago schools the money that they needed, but I'm not at all happy and I know I'm not the only one, when we give those funds and we turn out students that graduate from those schools that are illiterate and can't read or write or do arithmetic, I think that's really deplorable and I...we've got to find funds for them in the springtime, but let's demand that we get quality students in a system that works.

PRESIDENT:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I guess I'm between a rock and a hard place because I realize and I have been in schools in the City of Chicago and across this state; in fact, I was here...a school just

yesterday at Iles Elementary School and I was addressing the fifth grade class and the little eager minds interested in politics as young as they were and I saw the eagerness of them striving for an education. Then I have gone back into my area, in my district, and I've gone to some of the schools and I saw where there's school teachers were eager to give the children the very best that they could but because of shortage of budget, they had to take monies from their own pockets and try to provide for the children and they were eager children too seeking an education. And I know the problem that we have across this state and in the City of Chicago and I think that this is a bad trade-off today that I have to do for I desire and I weep for the young people not only in my state...in the City of Chicago but across this state but I have a commitment. I serve as chair of Health and Welfare and earlier...in this Veto Session when we were here, there were groves of people en masse came down and pleaded to us to please vote for day care, young women who are seeking to go to school and they are dependent upon the day-care system in order to preserve their schooling so that they can continue their schooling to be able to be taxpaying citizens at one day. Then there were women who were married, they're husbands and wives, they both have jobs, they're not on welfare but they depend upon the day-care system in order to provide for their children while they are at work. They don't want to go on welfare; yet, if they do not receive money, that means that they will have to...lose their jobs and go back on welfare, and if I promise a person something, I try to keep my word. So I stand on principle here but I want the people to know that on yesterday I stood and I voted for the override along with the others and we lost, and today I'm standing on principle because my word is out to my constituents and I have gone to their meetings and I have talked to them and they said, please, Senator, when you go to

Springfield, please vote for the day-care centers. And, so, I'm going to support this legislation and I'm going to be proud to do it but at the same time my heart is breaking for the school system that is left in need. Thank you, very kindly.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, we all are concerned about those school children. We all are concerned about day care but we should also be concerned about the fact that we don't have the money. I was wrong when I said...yesterday that...the Comptroller has over two hundred million dollars worth of bills on his desk that aren't paid, he has three hundred and five million dollars worth of bills that are not paid. I'm being beseeched by purveyors who have furnished services and goods to the State of Illinois for payment, they haven't been paid. The...the bottom line is we don't have the money. So we...can't just go tell the public we're going to vote for overrides and what have you when we don't have the money. At least we're being honest, we're doing the best we can and we are doing it by this supplemental appropriation and I speak in...in favor of it.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I had not intended to speak but I do have to correct the comments made by one of my colleagues and I would like to remind them of a song called "Nondescoldardemi" and I...which really means, "don't forget what I said." Now, Senator D'Arco, at no time did I suggest higher property taxes; in fact, I was complaining about that fact. Let me tell you, you want to do something about

Chicago educational funding, I'm not talking about reform, it's your system. But you have a chairman of the Revenue Committee, a Chicago Democrat, I sponsored a bill and it's probably...you're probably right. I sponsored a bill that would have given you seventy-three million in additional revenues and a two hundred and twenty million dollar property tax cut. Where was all that support? Sitting in subcommittee, that's where it was. You have an educational chairman from the City of Chicago. Where was the support there? Now, it's very nice at the eleventh hour to cry and...and say, you know what, it's not enough money. Folks, it's too late...it is too late to cry now because the money is not there, but you had a chance...you had a chance not only to help yourselves but help all of us. I'm going to reintroduce that bill and I will give you a chance at that particular time to reflect on it, and if you don't think it's a good idea, stand up and say it, but don't wait till June 30th next year to make the same complaints you're making right now 'cause your fate as my fate is in our own hands and the die was cast last June 30th by the action we took and one of those actions was to ignore Senate Bill 797.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Just briefly, Mr. President and members of the Senate, I, too, rise in a very, very mixed emotional position to be caught in at this time, and it was something that just did not happen, it was more or less designed for it to be this way. I sort of regret that proper action was not taken on the override of day-care legislation, because I believe sufficient votes were there on both sides of the aisle and in both Chambers of the General Assembly to have easily overridden that well-deserved program. And now everything is coupled together and I've been here a long time to know when

the train is greased, and I regret the train being greased at the expense of the...the school children not only in Chicago but across the State of Illinois. I was shocked to find out that the...the President's Secretary of Education was in Chicago talking about the Chicago school system but he didn't say a darn thing about the Federal cuts that the President has made in aid to education across this country not only in Chicago but...elsewhere. The...when we talk about the problems for our Chicago schools are concerned, Chicago schools face no different problems than any schools across the State of Illinois, and when the schools downstate run out of money on April 1, I want to see all of those who holler for reform holler for reform in those schools as well. But the train has been greased and since we are talking about songs and everything, I know as Willie Nelson said, "We're on the Road Again," Senator...Mr. President, we are on the road again, but we've been had...we've been had by our own colleagues 'cause we should have moved on day care to override but the...but the children of the public schools are being held hostage because people want to play games. I've been here fifteen years and the game...the name of the game is still the same, only difference is if you believe in quality education, you want to attract competent, good teachers then you will vote for the necessary taxes to...to start a teacher off at least at twenty-five thousand dollars per year. That cost money and that is what real reform is about, put your money...put your vote where your mouth is, but the children have been cheated and we've been had again and let's get on the road again.

PRESIDENT:

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Mr. President and colleagues, I promise you that I shall not be long. However, I must rise and express to you what I

feel about this supplemental budget. I can recall...it was roughly about twelve or fifteen years ago getting on a train at eight o'clock in the morning coming to Springfield to lobby for funds for the Chicago schools, and that train turned over between Chicago and Springfield and many of the women who were coming down at that time to lobby for additional funds for our schools because of the need were injured, and I shall always believe in my heart that I lost a very dear and wonderful friend who was coming with me to lobby from injuries received coming to Springfield to lobby for funds for education. I, too, am caught in a bind on this bill, I have mixed emotions. There are so many wonderful things in the bill that relates to health problems and to day-care services. My constituencies in my district have said to me, Alexander, do what you must do but help our schools even if it means voting for an income tax package. So I reluctantly support this package and hope that as we progress into the future and our next Session with the reform, education will be funded at its proper level.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. One of the previous speakers spoke of being embarrassed, this is embarrassing. This is an embarrassing position to be in. This is an embarrassing bill. Everything on this bill...about this bill is embarrassing. It's a terrible thing to give monies in these proportions talking about helping and aiding a school system. It's like giving...it's like giving a millionaire a penny, you're giving them nothing. As I look down the list of the things that we're supposed to be helping the higher education, the mental health, there's nothing...not one thing in here that will adequately support any of them projects. On yesterday we argued for the override and we fell short of our

goal. We fell short of our goal because people are afraid for personal reasons and that's wrong. We live in a state that is hurting now and we need the...the...educators, we need to educate the young folks, and we say because of the day care and that we need to vote for this bill for daycare so that those parents can go on to school to receive an education. But if they have to depend on us passing this bill with the meager fare in it, they won't receive much of an education. Yes, I'm embarrassed, as well, you, my colleagues should also be embarrassed.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move the previous question.

PRESIDENT:

Senator Lechowicz has moved the previous question. All in favor indicate by saying Aye. All opposed. The Ayes have it. Senator Carroll to close.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think everyone is well aware of what is in this legislation. It is all that it is available in general revenue dollars. There are many people who are not pleased entirely with the allocation, I'm one of them, but you have to deal with reality. This is what's available. The choice to me seems to be, do you accommodate the needs of day care, the needs of the personal care attendants, renal dialysis, et cetera, et cetera, et cetera and an amount for schools be at five million for the major system in my district or wherever districts you're from and that's all there is. Either that or go home with nothing. I happen to believe it's better to try and go home with something to accommodate the problem. The problem in Chicago is greater than can be solved by this or any other bill. That's going to take major reform. This

at least keeps the system going, it is not enough, it's the best we can do and I would ask for support.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on House Bill 2756. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 3 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 2756 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 11 has been distributed. Messages from the House, Madam Secretary. Then we'll move to Supplemental 11, for those of you who are keeping track.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendments No...Noes. 1 and 2 to a bill of the following title:

Senate Bill 1229 and they request a second Conference Committee.

PRESIDENT:

First conference.

SECRETARY:

Pardon me,...

PRESIDENT:

All right. Senator Philip moves that we accede to the request of the House for a Conference Committee. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Senate does accede to the request of the House.

SECRETARY:

HB 1684
C.C.R.
HB 1377
accede

I have a like Message on Senate Bill 1377 with respects to Amendments 1 and 2.

PRESIDENT:

Senator Marovitz moves that the Senate accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate does accede to the House's request. Supplemental No. 11...(machine cutoff)...Philip on 1229. Turn your attention, ladies and gentlemen,...or direct your attention to Supplemental Calendar No. 11 on the Order of Conference Committee Reports. Madam Secretary, there's a Conference Committee Report with respect to Senate Bill 1229.

SECRETARY:

First Conference Committee Report on Senate Bill 1229.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Conference Committee Report on Senate Bill 1229 merely technical changes for the Department of Revenue. Move we adopt the Conference Committee Report on Senate Bill 1229.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1229. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1229 and the bill having received the required constitutional majority is declared passed. 1684, Senator Carroll. Madam Secretary, on the Order of Conference Committee Reports, there's a report with respect

to House...House Bill 1684.

SECRETARY:

First Conference Committee Report on House Bill 1684.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

First, Mr. President, with leave of the Senate, I would like to add as cosponsors President Rock, Senator Poshard and Senator Ralph Dunn.

PRESIDENT:

All right. With leave of the Body, Senators Rock, Poshard and Ralph Dunn will be added as hyphenated cosponsors. Without objection, leave is granted. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill basically now does two items. One says that those monies that were collected on the surcharge on divorce petitions and marriage licenses that were to fund the domestic violence shelters and services should there be any monies after the refunds have been made, any...any uncollected monies, those monies would then go into the Domestic Violence Shelter and Service Fund. And, secondly, it allows for Illinois Development Finance Authority to guarantee certain private loans and these would merely be guarantees as opposed to actually a direct grant. It is basically for an aircraft assembly plant locating near Carbondale. I would be willing to answer questions and would ask for adoption of Conference Committee Report No. 1.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1684. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 54 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1684 and the bill having received the required constitutional majority is declared passed. 1763, Senator Zito. Madam Secretary, there's a Conference Committee Report with respect to House Bill 1763.

SECRETARY:

First Conference Committee Report on House Bill 1763.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, Mr. President, before we begin discussion on this Conference Committee Report, I would ask leave of the Body to be completely removed from House Bill 1763, this Conference Committee Report, have my name completely stricken and add Senator Watson as the chief sponsor.

PRESIDENT:

All right. Senator Zito seeks leave of the Body to remove himself as the sponsor and asked that Senator Watson be...assume chief sponsorship. Without objection, leave is granted. Senator Watson...(machine cutoff)...Watson.

SENATOR WATSON:

Thank you. The Conference Committee Report that we're about to discuss here, everything is deleted, okay, and it's...including the sponsor, right. But we...what we're going to do here...in the attempt to do is to allow for a municipality to levy a one-cent sales tax on food or beverage and we're going to allow this to help...those communities that have civic centers or which will have civic centers. The city in which we'll let...we're...we're authorizing the city or the local unit of government to...to do this. We aren't doing it, we're not mandating it, we're just allowing them to, if they wish to, they can; if they don't wish to do it, there's...not necessary. They may establish a dis-

trict...they can...they can do it within the community or they can establish a district within the community district which will...would levy the sales tax, and the reason for this is they're trying to identify those areas of the community in which will benefit the most and therefore place the tax. And the...the...the idea is...and...where this came from is in Collinsville, in my district, we have the Collinsville Civic Center proposed and a local hotel/motel tax was to generate revenue in order to retire the bonds. There's been some concern that the...by the bonding company that the revenue generated from this tax may not...may not be sufficient. So we are asking now that the area...the intent of this, of course, is that the area surrounding the civic center could possibly end up being the taxing district; of course, we are giving the authority to the community to...to do this with...within the entire municipality or we're, as I say, possibly setting up a district within a municipality. But the intent is, in my area, is to...around the Hilton, right there in Collinsville, to establish this special tax to help fund...and retire the bonds which would be necessary to...to fund the civic center. I would be glad to answer any questions at this particular time or...certainly ask for your...favorable support.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

The sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

My analysis says that this is a one percent sales tax on restaurant food and...beverages, is that correct?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

That is correct. It's...it authorizes the community or the local governing body to establish this one percent sales tax.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, even though I'm a mayor, I don't feel we need anymore sales taxes. I...I believe that the Whitley Commission Report already has stated that Illinois has far too many sales tax rates across the state. I think we have enough taxation as it is and I...I...'cause I'm very fond of the sponsor, reluctantly rise and speak in opposition to anymore sales taxes. The people have it tough enough as it is.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, Senator Zito bailed out on this one and I think probably the rest of us ought to be putting on our parachutes also. Here's a brand new idea, one that did not even surface in any form in our Revenue Committee, brand new idea that appears here on the last day of the Veto Session and now we're asked to act positively on it. Originally, I was under the impression that this was going to be limited in some fashion that would apply only to Collinsville. What we're talking about here doesn't just apply to Collinsville, really it affects any nonhome rule municipality in the State of Illinois. Not only can they levy the tax but they can make the rather arbitrary decision that we're not going to put it on everybody, we're going to select some little district out here that supposedly is going to derive some direct benefits by this additional tax, we'll slap it on in that particular designated district. This is a

one-cent tax on prepared food, there's no referendum or any means for citizen input in this process, and as Senator Geo-Karis has pointed out, it runs about a hundred and eighty degrees contrary to what was recommended in the Whitley Commission on...on sales taxes. So I...I guess I'm opposed.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Watson, what's the position of the Taxpayer Federation on this?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I haven't talked to them personally but I understand they're opposed.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Is there any referendum...front-door referendum or otherwise to impose this one percent tax?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

No.

PRESIDENT:

(Machine cutoff)...Welch, I'm sorry.

SENATOR WELCH:

I was just going to comment, this seems out of character for Senator Watson to be sponsoring a bill that's going to raise taxes without a referendum when he's often the champion

of referendums throughout the state, and I'm kind of...I'm literally shocked, Senator Watson, that you would...you would...I'm also fond of the sponsor but I'm...I'm shocked anyway.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Maybe it's getting late and everything else but, Senator Watson, I'm with you and I'll tell you why. Let me tell you why and...and I think it's something that maybe...maybe whether this bill goes or whether it doesn't go that we should all keep in mind...and I'm surprised at my good fellow Mayor Geo-Karis does not really yet...you haven't been around long enough as a mayor yet,...Mayor. You know, I...I have the upmost faith and confidence in the local municipalities doing what is right, to do for their constituents what they feel best. They can do it one hell of a lot better than we can from Springfield, Illinois. Now we have already given this authority to municipalities, every home rule unit can already do this, and also this body has seen fit to fund every other civic center in the state in funding. We now have one that we're trying to build, there are no funds. What this helps us do is to relieve the state from some of the responsibility. It allows the municipality to take control of its own destiny with perhaps just a little less help from the state and to be able to create a situation which allows for the...the entity to...to take place. I see nothing wrong with that and I think it's time that we vote for bills that allow the local municipalities, with or without referendum, we can argue whether that's good or bad, but the local municipality, I have the upmost faith in their abilities to do what their local people want, and if we give this authority to the...to the municipalities, they are not

going to abuse this authority; and if they do have any problems with it, well, Senators, I am here to tell you that they are going to take the heat for it and they're no...no different than we are, we're not too damn good at taking the heat either, so they're not going to jump into this frying pan either. So I urge an Aye vote.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I don't feel that Senator Watson should take all this...abuse, so I'm going to rise in support of this bill and I think it's a good bill.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Question.

PRESIDENT:

Final discussion. Senator Fawell.

SENATOR FAWELL:

Thank you...thank you, very much. I...I...I, too, am very fond of the sponsor and I'm...I'm with you too. It just seems to me it's logical that if you're going to have a...a civic center, then those who benefit from the civic center, and we all know that's the reason civic centers are built, should be the ones that perhaps should have to pay the tax to help support it. Who are the ones that are going to benefit from it? It's the people who are immediately around it and the people who serve the food inside of it. Now, I don't understand why in the world this is such a bad bill. I think it's a good bill and there may be only three of us voting but I'm with you.

PRESIDENT:

Senator Watson may...I'm sorry, Senator Karpel. Senator

Karpiel.

SENATOR KARPIEL:

I'll ask them now...myself...forget it.

PRESIDENT:

Senator Watson to close.

SENATOR WATSON:

Thank you, Mr. President. I would like to make a couple of remarks before...before we take the roll call, and I...I would appreciate support and I'm...I'm very serious about what we need to do here. In the Metro-East area, and I know you're all are aware of the problems that we have there, and one of the ideas behind the civic centers, of course, is to create economic development and create jobs and revenue for the communities in the area in which we represent. In...in a Metro-East area is an area that's...it...is in bad shape. Madison-St. Clair County has a high unemployment rate if you know the situation in East St. Louis. All we're trying to do is provide what I think is an equitable situation in which to hopefully make jobs for the people in this area. In regard to the Conference Committee Reports and...and I...I realize that the initial Conference Committee Report was solely designated to Collinsville, and to be quite honest about, I wish that's the way it would have ended up but, unfortunately, now we have this provision in which it takes into statewide, it's not just necessarily generated for Collinsville. But I do think that we are giving the communities...and, remember, we're not...we're...we're just authorizing the community to make the decision. We're not saying that it...it has to happen or this has to be, the community will make that decision in which is the ultimate as far as local control and let them decide what the fate is of this particular provision but I'd appreciate your support and urge green lights. Thank you.

PRESIDENT:

AB 2190
2nd Conf. Comm. Report

The question is, shall the Senate adopt the Conference Committee Report on House Bill 1763. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 8 Ayes, 39 Nays and none voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House. Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 693 offered by Senator Topinka.

Senate Resolution 694 offered by Senator Carroll, they're both congratulatory.

PRESIDENT:

Consent Calendar. With leave of the Body, we'll add them on the Consent Calendar, if you just make a note on the Calendar that's been distributed. Senator D'Arco, Supplemental 12 is with us. Ladies and gentlemen, if I can direct your attention to Supplemental Calendar No. 12. On the Order of Conference Committee Reports, there is a Conference Committee Report with respect to House Bill 2190. Madam Secretary, please.

SECRETARY:

Second Conference Committee Report on House Bill 2190.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill retains the original provisions of mandatory citizenship instruction and G.E.D test fee increases for nonpublic aid recipients. It also authorizes the Board of Ed. to transfer to the Building Fund the levy expiring from the PBC Operating and Maintenance Tax Fund. It also allows the board to levy a tax of two percent to pay for the ag. school that is a joint venture between private industry and charitable foundations in order to

create a new school that will deal primarily with students trained in the science of agriculture. That's principally what it does, be happy to answer any questions.

PRESIDENT:

Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Senator D'Arco, I'm surprised that you're trying to resurrect the measure that failed last Session with only eighteen votes for and twenty-eight votes against. As I read it...and maybe I should clarify or you correct me if I'm...if I'm wrong. It authorizes, number one, the Chicago Board of Education to levy a property tax for an agricultural science school which we still don't understand what this agricultural science school is supposed to do on...the southside of Chicago. Number two, it authorizes an increase in the Chicago Board of Education's building tax rate each year...in effect, depriving Chicago taxpayers of a property tax decrease that they had been promised. Number three, it authorizes for Fiscal Year 1989 an increase in the educational tax rate and then...this is something new, it removes competitive bidding for the sale of real estate and...and to top it all off, to put the icing on the cake, it adds a July 1, 1987 effective date; in other words, it's a retroactive property tax. Now it's a bad bill and I urge its defeat with no green votes.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, members of the Senate. I suppose it's uncharacteristic of me to vote for an issue like this but...and, Senator D'Arco, I'm not going to quote any songs tonight, okay? No songs, but I want to tell you something about this school. As I told you last spring, this school on the southside of Chicago, the Mentor of this school

is a...is a young lady by the name of Ellen Goodman has a zero drop-out rate...a zero drop-out rate. They're doing things in this school that we all could learn a lot from. I know there's a problem, Senator Dudycz, about raising taxes without a referendum on a number of things but here's a school that's actually working and I think it deserves your vote.

PRESIDENT:

Further discussion? Any further discussion? Senator D'Arco, you wish to close?

SENATOR D'ARCO:

Thank you, Mr. President. The problem last year with this provision was there was no cap on the amount of tax that could be imposed by the Board of Ed. This provides for a cap of two percent, and to tell you the truth, this school really does teach children the art and science of agriculture. Every subject on the agenda is related to agriculture; horticulture, plant science, natural resource management, animal science, biotechnology, agribusiness marketing, nursery, landscape design, ag. research, health sciences. These are the subjects in the curriculum at this agricultural school, and we really do plan to teach this population how to develop in the science of agriculture to become vets, to become interested in farming in the State of Illinois. It's not such a terrible thing for...for school children in the City of Chicago to learn how to...own and operate a farm, to become vets, to...to get involved in the science of agriculture. It's a very good thing and it works, there is a zero drop-out rate, as John indicated. The point is that the charitable foundations, and this is a very important point, and private industry are going to contribute 3.5 million dollars each. That's seven million dollars to build this school to teach these kids in the science of agriculture. Now, I think that...how...you know, that is a good idea for

HB 2354
2nd conf comm. Rept.

everybody concerned and I ask that we adopt Conference Committee Report No. 2.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on House Bill 2190. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 22 Ayes, 30 Nays, none voting Present. The Conference Committee Report is not adopted. Supplemental Calendar No. 13 I understand has been distributed. Senator Berman. Ladies and gentlemen, if I can direct your attention to Supplemental Calendar No. 13. On the Order of Conference Committee Reports, there's a Conference Committee Report on House Bill 2354. Madam Secretary, please.

SECRETARY:

Second Conference Committee Report on House Bill 2354.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This also addresses the Chicago public school system but I would like a different roll call. The...this bill allows the Chicago Board of Education to issue bonds for school building rehabilitation and deferred maintenance. As you are aware, up until just recently, just this year, the board's bond rating was not allowed...did not allow it to go to market. Now they have a marketable bond rating. This would allow the board to issue bonds for school building rehabilitation and deferred maintenance. It also addresses the differential between the Finance Authority's rate which is forty-five cents and the fifty-cent authorization for the schools to allow the schools that rate differential for its building fund. A third item that's in this bill and which is

very important, I think, those of you who have sat in on some of the discussions regarding reforms, two years ago in...in Senate Bill 730 we authorized local school improvement councils in Chicago to have a say in how the discretionary funds in those schools could be spent. We didn't give them statutory authority over that power, it was advisory where this local council could ask the school board to shift monies within their budgets. It wasn't an increase in budget, it was a shift as the local school council requested it. Now the school board saw fit to not respond affirmatively to any of those local school council initiatives. This bill gives those local school councils statutory authority to make those shifts if it is not responded to by the board. This, in effect, is what the parents' groups have been talking about as far as reform at the local level. This is not a major overhaul, I don't want to give that impression, but it is a very important step for the power of local school councils in Chicago. I solicit your Aye vote.

PRESIDENT:

Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Just like to know, Senator, is this another property tax increase?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

It is a...it is a substitution of the spending authority of the Finance Authority...School Finance Authority which would otherwise not be available to be picked up by the Board of Education. You might say it's not an increase but...the taxpayers don't get the benefit of the lapse.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

In other words, it's a property tax increase.

PRESIDENT:

(Machine cutoff)...Berman.

SENATOR BERMAN:

Let me take you through it. We are not increasing the total tax rates available to the taxing bodies of either the School Finance Authority or the Chicago Board of Education. The School Finance Authority has a rate to retire its bonds. This bill says that if they don't utilize that entire rate, that rate maybe utilized, the balance that's not used, may be utilized by the Board of Education for its bonding authority.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

In other words, Senator, I'm...the way I understand it, you're...you're saying that it's not a tax increase but it's not a tax decrease; therefore, where's the money coming from?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

In either event, the tax is coming from the taxpayers of the City of Chicago. So we don't misunderstand each other, that...yeah, the real estate taxes, and what we're saying is that if the Finance Authority does not utilize its entire rate to retire its bonds, the Board of Education may use that differential.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2354. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? All voted who wish? Take the record. On that question, there are 37 Ayes, 14 Nays, 2 voting

Present. The Senate does adopt the Conference Committee Report on House Bill 2354 and the bill having received the required constitutional majority is declared passed. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Yes, Mr. President, I'd like to...verify the affirmative votes.

PRESIDENT:

Thirty votes are required for passage. It's a...there's an immediate effective date? I'm sorry, I got the wrong information here. Senator Dudycz has requested a verification. Will the members please be in their seats. Madam Secretary, please read the affirmative roll.

SECRETARY:

Alexander, Berman, Brookins, Carroll, Collins, D'Arco, Davidson, DeAngelis, del Valle, Demuzio, Donahue, Thomas Dunn, Etheredge, Fawell, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Karpel, Kelly, Kustra, Mahar, Maitland, Marovitz, Newhouse, O'Daniel, Philip, Poshard, Schaffer, Schuneman, Smith, Vadalabene, Watson, Zito and Mr. President.

PRESIDENT:

Yes. Senator Dudycz, do you question the presence of any member?

SENATOR DUDYCZ:

Senator Zito.

PRESIDENT:

Senator Zito is in the middle aisle.

SENATOR DUDYCZ:

Senator Demuzio...I see him.

PRESIDENT:

Senator Demuzio is in his seat.

SENATOR DUDYCZ:

Senator Jeremiah Joyce.

PRESIDENT:

Senator Jeremiah Joyce on the Floor? Senator Joyce on the Floor? Is Senator Joyce in the...strike his name.

SENATOR DUDYCZ:

Senator...Senator Kustra.

PRESIDENT:

Senator Kustra on the Floor? Senator Kustra on the Floor? Strike his name, Madam Secretary. Do you question the presence of any other member, Senator Dudycz? All right. The roll has been verified. The Ayes are 35 and the Nays are 14, 2 voting Present. The Conference Committee Report is not adopted...(machine cutoff)...the Order of Resolutions, Madam Secretary, we have the Resolutions Consent Calendar. I understand an error has been pointed out. On Senate Resolution 666, ladies and gentlemen, the extension should be the extension of condolences, not congratulations. The Chair apologizes for the misprint. Any objections been filed, Madam Secretary, to the Resolutions Consent Calendar?

SECRETARY:

There have been no objections filed.

PRESIDENT:

If no objections have been filed, Senator Demuzio will move the adoption of the Resolutions Consent Calendar. Copies have been distributed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions on the Resolutions Consent Calendar are adopted. Senator Philip, I think we're about ready for the adjournment resolution. Madam Secretary, why don't we adopt the resolution and I just ask everybody to sit for a moment till we check with the House and see what they're about. Resolutions, Madam Secretary.

SECRETARY:

Senate Joint Resolution 91.

(Secretary reads SJR 91)

HB 2354
e.c.r.#2

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, this is the adjournment resolution. I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 91.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the rules for the immediate consideration of Senate Joint Resolution 91. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 91 which calls for us to return to Springfield in January, 1988, on the 13th day at the hour of noon. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Ladies and gentlemen, we have exhausted the supplemental calendars. There are, I'm told, a couple of matters out there floating around, but I don't know where they are or what time it's going to be. We have effectively concluded the substantive business before this Chamber. Senator Berman, for what purpose do you seek recognition?

SENATOR BERMAN:

I apologize, Mr. President, for interrupting you but I thought that there was a motion filed to reconsider the vote on which 2354 failed.

PRESIDENT:

That motion has been filed.

SENATOR BERMAN:

Thank you.

PRESIDENT:

Do...do we wish to pursue that motion this evening?

SENATOR BERMAN:

Yes, sir.

PRESIDENT:

Okay. All right. There's a motion in writing. We have a death resolution for...former Senator Palmer which will be the last order of business. The adjournment resolution has already been adopted. Madam Secretary, I understand there's been a motion in writing filed. Read the motion, please.

END OF REEL

REEL #5

SECRETARY:

I move to reconsider the vote by which Conference Committee Report No. 2 to House Bill 2354 failed. Filed by Senator Luft.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I apologize to the Body for having...having to do this but I did make an error in my vote. I think Senator Berman's Conference Report No. 2 to House Bill 2354 is warranted and would, therefore, ask to reconsider the vote to Conference Committee Report No. 2 to House Bill 2354.

PRESIDENT:

All right, Senator Luft has moved to reconsider the vote by which the Conference Committee was lost or not adopted. Having voted on the prevailing side, he moves to reconsider that vote. Those in favor of the motion to reconsider will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 affirmative votes, 11 Nays, none voting Present. The motion prevails. Senator Berman, do you wish to now reconsider...Senator Berman, do you wish to consider the Conference Committee Report or do you wish to leave it sit? Senator Berman.

SENATOR BERMAN:

I...I know that there were a number of Senators that just didn't get there for the motion to reconsider but want to vote on the Conference Committee Report. So, I would like to

move ahead at this moment. We'll make it short.

PRESIDENT:

All right, ladies and gentlemen, if I can again direct your attention to Supplemental Calendar No. 13, on the Order of Conference Committee Reports, there's a Conference Committee Report on House Bill 2354, Senator Berman.

SENATOR BERMAN:

Thank you, we debated it, let me just tell you that it allows the Chicago Board of Education to utilize the School Finance Authority's tax rate that's not used by the finance authority to fix and repair and rehabilitate its school buildings. It provides for the control...statutory authority in local school councils to shift money within its own budget at the local school level; it's a very important reform that the parents have been asking for. I ask your...favorable vote on House Bill 2354 Conference Committee.

PRESIDENT:

Discussion? Any further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2354. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 13 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 2354 and the bill having received the required constitutional majority is declared passed. Resolutions, Mr. Secretary. I'd ask the members to please be in their seats and will the staff please take a seat. This is a death resolution. I ask the doormen to keep an eye on the doors.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 679 offered by Senators Marovitz, Carroll, Rock and all members.

(Secretary reads SR 679)

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I don't know how many of you here had the privilege, and it really was a privilege, to know Ben Palmer or Benny as those of us who knew and loved him called him, but Ben Palmer was the kind of man that truly brought a ray of sunshine into people's lives. He always had a smile on his face, never...never had a mean or vindictive thought in all the time that I knew him. He was always willing to help others regardless of their political affiliation or who they were. He just liked to help people. He loved talking to people. His...his last conscious act when he was in the hospital and he lay dying and he was unconscious, woke up for a brief few seconds and his son, Stewart, was there and Stewart said, "Dad, you got to rest," and...and Ben said, "Not before I tell you a joke," and he told him a joke and then he closed his eyes and he died. With all the superficial and momentary issues that confront us here on a daily basis, I think it's important for all of us to try and keep our perspective and our priorities in order. Ben Palmer always did that. His priority was his family and there was nothing more important to him in life than his wife and his beautiful children. If ever one can be called truly a sweet and beautiful man, Ben Palmer was such a man. I will miss him greatly and I think those who knew him will truly miss his smile and his warmth. Mr. President, I would ask leave to have all members of this Body added as cosponsors.

PRESIDENT:

Gentleman seeks leave to add all members as cosponsors. Without objection, leave is granted. He now moves to suspend the rules for the immediate consideration and adoption. All in favor of the motion to suspend indicate by saying Aye.

All opposed. The Aye have it. The rules are suspended. Those in favor of the adoption of Senate Resolution 679 please rise. The resolution is adopted. The Senate stands adjourned until January 13th, 1988 at the hour of noon.

01/15/88
12:04

STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
SENATE

DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

NOVEMBER 06, 1987

HB-0099	CONFERENCE	PAGE	104
HB-0213	MOTION	PAGE	8
HB-0236	MOTION	PAGE	18
HB-0262	MOTION	PAGE	12
HB-0513	CONFERENCE	PAGE	63
HB-0529	CONFERENCE	PAGE	34
HB-0692	MOTION	PAGE	19
HB-0717	MOTION	PAGE	20
HB-0783	MOTION	PAGE	14
HB-0998	CONFERENCE	PAGE	102
HB-1038	CONFERENCE	PAGE	99
HB-1055	CONFERENCE	PAGE	106
HB-1256	MOTION	PAGE	24
HB-1421	CONFERENCE	PAGE	41
HB-1616	CONFERENCE	PAGE	44
HB-1684	CONFERENCE	PAGE	145
HB-1763	CONFERENCE	PAGE	147
HB-1781	MOTION	PAGE	22
HB-1923	CONFERENCE	PAGE	102
HB-2065	CONFERENCE	PAGE	77
HB-2151	CONFERENCE	PAGE	61
HB-2190	CONFERENCE	PAGE	154
HB-2354	CONFERENCE	PAGE	44
HB-2354	CONFERENCE	PAGE	62
HB-2354	CONFERENCE	PAGE	157
HB-2354	CONFERENCE	PAGE	165
HB-2354	MOTION	PAGE	162
HB-2354	OUT OF RECORD	PAGE	45
HB-2403	MOTION	PAGE	17
HB-2470	MOTION	PAGE	13
HB-2712	CONFERENCE	PAGE	123
HB-2713	CONFERENCE	PAGE	67
HB-2715	CONFERENCE	PAGE	118
HB-2746	CONFERENCE	PAGE	124
HB-2748	CONFERENCE	PAGE	107
HB-2756	CONFERENCE	PAGE	128
HB-2797	CONFERENCE	PAGE	113
HB-2852	CONFERENCE	PAGE	100
SB-0236	CONFERENCE	PAGE	121
SB-0484	CONFERENCE	PAGE	83
SB-0652	CONFERENCE	PAGE	126
SB-0714	CONCURRENCE	PAGE	114
SB-0916	CONFERENCE	PAGE	76
SB-0943	CONFERENCE	PAGE	94
SB-1155	CONFERENCE	PAGE	65
SB-1229	CONFERENCE	PAGE	145
SB-1322	CONFERENCE	PAGE	98
SB-1326	CONFERENCE	PAGE	45
SB-1376	CONFERENCE	PAGE	49
SB-1506	CONFERENCE	PAGE	51
SB-1516	FIRST READING	PAGE	79
SB-1558	FIRST READING	PAGE	1
SB-1559	FIRST READING	PAGE	79
SB-1561	FIRST READING	PAGE	79
SB-1562	FIRST READING	PAGE	79
SB-1563	FIRST READING	PAGE	79
SB-1564	FIRST READING	PAGE	79
SB-1565	FIRST READING	PAGE	115
SB-1566	FIRST READING	PAGE	115
SR-0594	ADOPTED	PAGE	80
SR-0629	ADOPTED	PAGE	2
SR-0679	ADOPTED	PAGE	165
SR-0681	ADOPTED	PAGE	116
SR-0682	RESOLUTION OFFERED	PAGE	1
SR-0683	RESOLUTION OFFERED	PAGE	1

01/15/88
12:04

STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 2

NOVEMBER 06, 1987

SR-0684 RESOLUTION OFFERED	PAGE	78
SR-0685 RESOLUTION OFFERED	PAGE	78
SR-0686 RESOLUTION OFFERED	PAGE	79
SR-0687 RESOLUTION OFFERED	PAGE	79
SR-0688 RESOLUTION OFFERED	PAGE	79
SR-0689 RESOLUTION OFFERED	PAGE	79
SR-0690 RESOLUTION OFFERED	PAGE	115
SR-0691 RESOLUTION OFFERED	PAGE	115
SR-0692 RESOLUTION OFFERED	PAGE	115
SR-0693 RESOLUTION OFFERED	PAGE	154
SR-0694 RESOLUTION OFFERED	PAGE	154
SJR-0059 ADOPTED	PAGE	81
SJR-0091 ADOPTED	PAGE	161

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - REVEREND DANIEL POWELL	PAGE	1
JOURNALS - POSTPONED	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	2
COMMITTEE REPORTS	PAGE	25
EXECUTIVE APPOINTMENTS	PAGE	26
MESSAGE FROM THE HOUSE	PAGE	79
MESSAGES FROM THE HOUSE	PAGE	115
MESSAGE FROM THE HOUSE	PAGE	144
MESSAGE FROM THE HOUSE	PAGE	145
RESOLUTIONS CONSENT CALENDAR - ADOPTED	PAGE	161
ADJOURNMENT	PAGE	167